



*Washington, Wednesday, January 5, 1944*

## *Regulations*

**TITLE 7—AGRICULTURE**

## Chapter XI—War Food Administration (Distribution Orders)

[FDO 79-103]

## PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MEMPHIS, TENN.,  
METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79, (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.136 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (1) in the form of milk, or (ii) in the form of cream and milk by-products, minus the milk solids in quota-exempt deliveries of milk, and cream and milk byproducts, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk by-

products, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Memphis, Tennessee, metropolitan milk sales area, and is referred to hereinafter as the "sales area": The city of Memphis and all of Shelby County, Tennessee, and the city of West Memphis in Crittenden County, Arkansas.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a subhandler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

## CONTENTS

## REGULATIONS AND NOTICES

ALIEN PROPERTY CUSTODIAN:	Page
Vesting orders:	
Campsele, Maria	190
Engel, Hedwig	185
Fujii, Junichi	186
Gartner, Ludwig	186
Kamura, Nabuichi	187
Kenner, Martha	188
Noll, Barbara, et al.	188
Whitener, Paula	190
COAL MINES ADMINISTRATION:	
Chloe Elkhorn Coal Co., Inc., government possession ter- minated	184
INTERSTATE COMMERCE COMMI- SSION:	
Cincinnati, New Orleans and Texas Pacific Railway Co., rerouting of freight traf- fic	185
Freight traffic, order to disre- gard certain rerouting pro- visions	185
OFFICE OF PRICE ADMINISTRATION:	
Acetic acid (RPS '31, Am. 4)	167
Candy, imported hard (RSR 14, Am. 79)	184
Commodities and services (RSR 1, Am. 43)	184
Excelsior, pine wood (RSR 14, Am. 73)	183
Fish and seafood, frozen (MPR 364, Am. 10)	183
Flooring, northern hardwood (MPR 432, Am. 2)	171
Hawaii; grocery items (MPR 373, Am. 30)	173
Meat, fats, etc., rationing (RO 16, Am. 8 to Rev. Supp. 1)	184
Outerwear, fall and winter (MPR 438, Am. 3)	172
Piece goods, finished (MPR 127, Am. 16)	172
Pork cuts and sausage items (MPR 336, Am. 10)	167
Processed foods, rationing (Rev. RO 13, 2d Rev. Supp. 1)	173

(Continued on next page)



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#### CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Sugar rationing (RO 3, Tenth Rev. Zoning Order 1) -----	172
RURAL ELECTRIFICATION ADMINISTRATION:	
Allocation of funds for loans (2 documents) -----	185
WAR FOOD ADMINISTRATION:	
Milk, designated area:	
Atlanta Ga. -----	140
Battle Creek, Mich. -----	147
Birmingham, Ala. -----	143
Charlotte, N. C. -----	149
Chattanooga, Tenn. -----	137
Columbus, Ga. -----	142
Knoxville, Tenn. -----	138
Memphis, Tenn. -----	135
Montgomery, Ala. -----	144
Muskegon, Mich. -----	145
Nashville, Tenn. -----	139
Winston-Salem, N. C. -----	148
Peppermint oil (FDO 81, Am. 1) -----	152

CONTENTS—Continued	
WAR FOOD ADMINISTRATION—Con.	Page
Tea:	
Delegation of authority (FDO 21-1) -----	151
Distribution for civilian consumption (FDO 21, Am. 1) -----	150
WAR PRODUCTION BOARD:	
Bearings, anti-friction (E-10) -----	162
Beryllium scrap (M-160-a) -----	157
Controlled materials plan; water well material (CMP Reg. 1, Dir. 1, Rev.) -----	162
Files and burs, rotary (L-216, Sch. IV) -----	159
Industrial equipment, general (L-123) -----	156
Oil burners (L-74) -----	166
Plumbing and heating equipment, metal (L-79) -----	163
Priorities system, operation (PR 1, Int. 3) -----	155
Razors and razor blades (L-72, Rev.) -----	165
Trucks, truck trailers, etc. (L-1-g, Rev.) -----	156
Trucks and truck trailers, motor (L-1-e) -----	165
Vises (L-216, Sch. VI) -----	161
WAR RELOCATION AUTHORITY:	
Leave for departure from a relocation area, issuance -----	154

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream, or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall immediately investigate and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk by-products.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 250 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (1) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.01 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-42; Filed, January 1, 1944;  
4:03 p. m.]

[FDO 79-104]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN CHATTANOOGA, TENN., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.144 *Quota restrictions—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or

manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk byproducts for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk byproducts, minus the milk solids in quota-exempt deliveries of milk, and cream and milk byproducts, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk byproducts, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by .906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Chattanooga, Tennessee, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Chattanooga and the civil districts 1, 2, 3, and 4 in Hamilton County, Tennessee; and the militia districts of Creek in Dade County, Ninth in Catoosa County, and Lookout Mountain, Lisbon, Rossville, and Chickamauga in Walker County, Georgia.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the num-

ber of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk byproducts.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account

## FEDERAL REGISTER, Wednesday, January 5, 1944

which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(1) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent,

within 20 days after the close of each calendar month, an assessment of \$0.01 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-52; Filed, January 1, 1944;  
4:02 p. m.]

[FDO 79-105]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN KNOXVILLE, TENN., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.138 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk byproducts for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk byproducts, minus the milk solids in quota-exempt deliveries of milk, and cream and milk byproducts, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk byproducts and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Knoxville, Tennessee, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Knoxville and Knox County, the towns of Maryville and Alcoa in Blount County, the town of Jefferson City in Jefferson County, and the towns of Lenoir City and Loudon in Loudon County, all in the State of Tennessee.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk byproducts.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no

milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another.

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.01 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 8807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-53; Filed, January 1, 1944;  
4:02 p. m.]

[FDO 79-106]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CRFAM IN NASHVILLE, TENN.,  
METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.137 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk by-products, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk by-products, minus the milk solids in quota-exempt deliveries of milk, and cream and milk by-products, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk by-products, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk by-products by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

## FEDERAL REGISTER, Wednesday, January 5, 1944

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Nashville, Tennessee, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Nashville, and Civil Districts Nos. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, and 13 all in Davidson County, Tennessee.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk byproducts.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 100 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream;

and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.01 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m. e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283).

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-54; Filed, January 1, 1944;  
4:02 p. m.]

[FDO 79-107]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN ATLANTA, GA., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.141 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or

manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk by-products, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk by-products, minus the milk solids in quota-exempt deliveries of milk, and cream and milk by-products, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk by-products, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Atlanta, Georgia, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Atlanta and the counties of Fulton, De Kalb and Cobb all in the State of Georgia.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period;

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk by-products.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk by-products.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 125 units of milk, cream, and milk by-products. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several

handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.* (1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (1) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.*—Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent,

within 20 days after the close of each calendar month, an assessment of \$0.015 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-55; Filed, January 1, 1944;  
4:02 p. m.]

[FDO 79-108]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN COLUMBUS, GA., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.146 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using an ingredient therein milk, cream, or milk by-products, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a

handler within the sales area during the base period (1) in the form of milk, or (ii) in the form of cream and milk by-products, minus the milk solids in quota-exempt deliveries of milk, and cream and milk by-products, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk by-products, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk by-products other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk by-products by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Columbus, Georgia, milk sales area, and is referred to hereinafter as the "sales area":

The city of Columbus, Georgia, and the county of Muscogee in the State of Georgia, and the incorporated town of Phenix-Girard located in Lee and Russell counties in the State of Alabama.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk by-products.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk by-products.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 125 units of milk, cream, and milk by-products. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk by-products; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk by-products, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling of processing of milk, milk by-products, cream or other dairy products from which no milk, milk by-products, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a

petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of 0.015 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a.m., e.w.t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O.

9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 18283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-56; Filed, January 1, 1944;  
4:02 p. m.]

[FDO 79-109]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN BIRMINGHAM, ALA., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

**§ 1401.142 Quota restrictions—(a)**  
*Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk byproducts, minus the milk solids in quota-exempt deliveries of milk, and cream and milk byproducts, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk byproducts, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Birmingham, Alabama, metropolitan milk sales area,

and is referred to hereinafter as the "sales area":

The city of Birmingham and the territories in Jefferson and Shelby counties, cated within Jefferson and Shelby counties, Alabama: Beginning at a point nine (9) miles due north of the northeast corner of the Jefferson County Courthouse, Birmingham division, thence running due west for fifteen (15) miles, thence running due south for eighteen (18) miles, thence running due east for twenty-eight (28) miles, thence running due north for eighteen (18) miles, thence running due west for thirteen (13) miles to the point of beginning.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools: *And provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk byproducts.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk byproducts.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 125 units of milk, cream, and milk

## FEDERAL REGISTER, Wednesday, January 5, 1944

byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the

Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.015 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-57; Filed, January 1, 1944;  
4:02 p. m.]

[FDO 79-110]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MONTGOMERY,  
ALA., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as

amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.143 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk by-products, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk by-products, minus the milk solids in quota exempt deliveries of milk, and cream and milk by-products, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk by-products, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk by-products other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk by-products by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Montgomery, Alabama, metropolitan milk sales area, and is referred to hereinafter as the "sales area":

The city of Montgomery and the county of Montgomery in the State of Alabama.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multi-

plied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk by-products.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk by-products.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk by-products. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk by-products; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk by-products, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk by-products, cream or other dairy products from which no milk, milk by-products, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (1) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to

such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk by-products during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk by-products.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.015 per hundredweight of each of milk, milk by-products, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-58; Filed, January 1, 1944;  
4:02 p. m.]

[FDO 79-111]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN MUSKEGON, MICH., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.140 *Quota restrictions—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk by-products, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk by-products, minus the milk solids in quota-exempt deliveries of milk, and cream and milk by-products, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk by-products, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk by-products other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk by-products by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Muskegon, Michigan, milk sales area, and is referred to hereinafter as the "sales area":

The cities of Muskegon, Muskegon Heights and North Muskegon and the townships of Laketon, Muskegon, Fruitport, and Norton, all in the county of Muskegon, Michigan.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools: *And provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk by-products.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk by-products.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk by-products. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk by-products; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk by-products, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk by-products, cream or other dairy products from which no milk, milk by-products, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or

the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk by-products during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk by-products.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.01 per hundredweight of each of milk, milk by-products, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-59; Filed, January 1, 1944;  
4:02 p. m.]

[FDO 79-112]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN BATTLE CREEK, MICH., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.139 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk by-products, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk by-products, minus the milk solids in quota-exempt deliveries of milk, and cream and milk by-products, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk by-products, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk by-products by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk

sales area" to be known as the Battle Creek, Michigan, milk sales area, and is referred to hereinafter as the "sales area":

The city of Battle Creek and the townships of Emmett, Pennfield, Bedford, and Battle Creek, in Calhoun County, Michigan.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high, and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk by-products.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk by-products.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 100 units of milk, cream, and milk by-products. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof, who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address, and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which

show the information required by the market agent to establish such handler's quotas:

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.01 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-60; Filed, January 1, 1944;  
4:01 p. m.]

[FDO 79-113]

#### PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WINSTON-SALEM,  
N. C., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.147 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient therein milk, cream, or milk by-products, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk by-products, minus the milk solids in quota-exempt deliveries of milk, and cream and milk by-products, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk by-products, and cream shall be computed as follows: Each hundredweight of milk, cream, or milk by-products other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk by-products by .906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Winston-Salem, North Carolina, milk sales area, and is referred to hereinafter as the "sales area":

The city of Winston-Salem in the county of Forsyth in the State of North Carolina.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high and high schools: *And provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or pro-

ducer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk by-products.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (3).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota for cream and milk by-products.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk by-products. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk by-products; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk by-products, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk by-products, cream or other dairy products from which no milk, milk by-products, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(1) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (1) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.015 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,

*Acting Director of Food Distribution.*

[F. R. Doc. 44-61; Filed, January 1, 1944; 4:01 p. m.]

[FDO 79-114]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK AND CREAM IN CHARLOTTE, N. C., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.145 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, cream, or milk by-products for delivery.

(4) The term "industrial user" means a person, as determined by the market agent, in the capacity of a manufacturer of products using as an ingredient there-in milk, cream, or milk byproducts, which products are disposed of for resale to consumers off the premises where made.

(5) The term "base" means the total pounds of milk solids delivered by a handler within the sales area during the base period (i) in the form of milk, or (ii) in the form of cream and milk by-products, minus the milk solids in quota-exempt deliveries of milk, and cream and milk by-products, as described in (j) hereof. (For the purpose of this order, the milk solids content of milk, milk by-products, and cream shall be computed as follows: Each hundredweight of milk,

cream, or milk byproducts other than cottage, pot, or baker's cheese, shall be considered the equivalent of 9.375 pounds of milk solids plus the number of pounds of milk solids calculated by multiplying the pounds of butterfat in such milk, and cream and milk byproducts by 0.906; and each hundredweight of cottage, pot, or baker's cheese shall be considered the equivalent of 62.5 pounds of milk solids plus one pound of milk solids for each one percent of butterfat content of such cheese.)

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Charlotte, North Carolina, milk sales area, and is referred to hereinafter as the "sales area":

The city of Charlotte and the township of Charlotte in the county of Mecklenburg in the State of North Carolina.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area: *Provided*, That the month of May may be used as the base period for computing base and quota for deliveries to elementary, junior high and high schools; and *Provided further*, That in the computations set forth in (e) hereof the total deliveries to elementary, junior high, and high schools in the base period shall be divided by the number of days such schools were in session in lieu of the total number of days in the base period as set forth in (e) (1) and the average daily deliveries so determined shall be multiplied by the number of days such schools are in session in each quota period in lieu of the number of days in the quota period as set forth in (e) (2).

(d) *Quota period.* Each calendar month, beginning with the effective date of this order, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler other than a sub-handler or producer-handler shall be determined as follows:

(1) Divide his respective bases by the number of days in the base period;

(2) Multiply the foregoing result by the number of days in the quota period; and

(3) Multiply the aforesaid resulting amounts by 100 percent in the case of the base for milk, and 75 percent in the case of the base for cream and milk by-products.

(f) *Quotas for handlers who are also producers.* Quotas for each handler who is also a producer and who purchases no milk shall be computed in accordance with (e) hereof, except:

(1) His base period shall be either June or December, whichever represents his larger total deliveries; and

(2) The applicable percentages shall be 100 percent in lieu of those specified in (e) (8).

(g) *Quota and adjustments.* Each handler may increase his quota for milk within any quota period by one pound of milk solids for each one pound of milk solids he reduces his quota, for cream and milk by-products.

(h) *Cream deliveries.* The units of cream delivered subject to quota in any

quota period shall not exceed 100 percent of the units of cream in his base, irrespective of the milk solids content of such deliveries.

(i) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) One quart of milk, buttermilk, or fluid milk byproducts; (2) one-half pint of cream; and (3) one-half pound of cottage, pot, or baker's cheese.

(j) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, cream or other dairy products from which no milk, milk byproducts, or cream, is delivered in the sales area, (3) to industrial users, and (4) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(k) *Transfers of bases.* The market agent is empowered to transfer base from one handler to another:

(1) Upon receipt of a request in writing from both handlers; and

(2) Upon application from a handler and written notice to the Director and to both handlers, (i) to permit deliveries to a purchaser not being served by a handler whose quota reflects deliveries to such purchaser in the base period, (ii) to permit a handler to serve an account which customarily rotates among several handlers inclusive of a contract let by a public agency or institution on a bid basis, and (iii) to permit a handler to serve an account which he is serving on the effective date of this order and which was served by another handler during the base period.

(l) *Consumer priorities.* In the distribution of milk subject to quotas established hereunder, a handler shall give preference in the order listed, taking into consideration the type of purchasers served by him in the base period, to:

(1) The need of children, expectant mothers, and invalids requiring milk;

(2) Homes and retail stores handling milk for consumption off the premises; and

(3) Establishments serving milk for consumption on the premises.

(m) *Petition for relief from hardship.*

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately inves-

tigate representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(n) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handler's quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (i) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(o) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(p) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month, an assessment of \$0.015 per hundredweight of each of milk, milk byproducts, cream, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(q) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations.

(r) *Bureau of the Budget approval.* The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(s) *Effective date.* This order shall take effect at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12423, 13283)

Issued this 31st day of December 1943.

C. W. KITCHEN,  
Acting Director of Food Distribution.

[F. R. Doc. 44-62; Filed, January 1, 1944;  
4:01 p. m.]

[FDO 21, Amdt. 1]

PART 1415—IMPORTED FOODS

DISTRIBUTION OF TEA FOR CIVILIAN CONSUMPTION

Food Distribution Order No. 21, issued by the Secretary of Agriculture on February 15, 1943 (8 F.R. 2077), is amended to read as follows:

§ 1415.1 *Distribution of tea.*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "person" means any individual, partnership, corporation, or any organized group of persons, whether incorporated or not.

(2) The term "Director" means the Director of Food Distribution, War Food Administration.

(3) The term "Commodity" means the Commodity Credit Corporation, War Food Administration.

(4) The term "packer" means any person who packs tea owned by him or who has tea owned by him packed for his account by some other person.

(5) The term "qualified distributor" means a person designated as a qualified distributor in accordance with the provisions of (c) hereof.

(b) *Restrictions.* (1) No person other than a qualified distributor shall purchase tea from Commodity; and each qualified distributor shall purchase tea only from Commodity and only in accordance with an allocation hereunder and pursuant to the provisions of this order.

(2) During the calendar year 1944, and during each subsequent calendar year, the Director shall compute the percentage of the quantity of tea of all types which each qualified distributor may purchase, in accordance with the provisions of this order, from Commodity during each calendar year. Such percentage shall be in the same proportion that each qualified distributor's average annual imports of tea of all types during the calendar years 1940 and 1941 bore to the average annual imports of tea of all types by all the qualified distributors during the calendar years 1940 and 1941.

(3) The Director shall, from time to time, during the calendar year 1944, and during each subsequent calendar year, allocate, in his discretion, to the respective qualified distributors such quantities and types of tea as may be available for sale by Commodity at such time, so as to enable such qualified distributors to fulfil, as nearly as practicable, the requirements of packers' orders received by such qualified distributors: *Provided*, That the total amount so allocated to each qualified distributor shall not, during any calendar year, exceed the total quantity of tea which is obtained by applying the qualified distributor's percentage, computed in accordance with the provisions of (b) (2) hereof, to the total quantity of tea made available for sale by Commodity during such year.

(c) *Designation of qualified distributors.* (1) The Director shall, by publication in the FEDERAL REGISTER, designate as qualified distributors those tea im-

porters, who have indicated a willingness to act as such, and who are, in the judgment of the Director, by reason of their experience, facilities, and personnel, able efficiently to distribute tea to packers and otherwise to discharge the functions and duties which the Director may, from time to time, specify.

(2) Any importer of tea who is not designated as a qualified distributor, as aforesaid, and believes that he is qualified to act as such may submit a petition in writing with the Order Administrator within 15 days after the publication in the *FEDERAL REGISTER* of any list of qualified distributors. Such petition shall be addressed to Order Administrator, Food Distribution Order No. 21, Special Commodities Branch, Food Distribution Administration, War Food Administration, Washington 25, D. C. Petition for such action shall be in writing and shall set forth the pertinent facts and the reasons which the petitioner considers entitle him to be designated as a qualified distributor. If such petitioner is dissatisfied with the action taken by the Order Administrator on the petition, by requesting the Order Administrator therefor, he shall obtain a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. In case any such petitioner is designated as a qualified distributor, the quantity of tea allocated to him shall be computed in accordance with the provisions of (b) (2) and (b) (3) hereof, and the allocations for other qualified distributors shall be recomputed accordingly.

(3) The Director may at any time terminate the designation of a qualified distributor, as such, who (i) fails to enter into the contract offered by Commodity for the purchase of tea and the performance of services incident to the handling of tea, (ii) after contracting with Commodity, as aforesaid, fails to comply with the terms of such contract, or (iii) violates any provision of this order.

(4) A qualified distributor may terminate his designation as such upon giving the Director at least 30 days' written notice of such intention to terminate.

(d) *Appointment of collaborator to serve as tea allocation supervisor.* The Director may appoint a person to serve as tea allocation supervisor and, insofar as he performs functions for the United States, such person shall act under his appointment as a collaborator without compensation from the United States.

(e) *Contracts.* The provisions of this order and of any regulations or orders issued in pursuance hereof shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued or payments made thereunder.

(f) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of tea of any person and to make such investigations, as may be necessary or appropriate, in the discretion of the Director for the enforcement or administration of the provisions of this order.

(g) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the discretion of the Director for the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall maintain, for at least two years or for such other period of time as the Director may designate, an accurate record of his transactions in tea.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, Food Distribution Order No. 21, Special Commodities Branch, Food Distribution Administration, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken by the Order Administrator on the petition, by requesting the Order Administrator therefor, he shall obtain a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final.

(j) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using tea or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Communications.* All reports required to be filed and all communications concerning this order shall be addressed to Order Administrator, Food Distribution Order No. 21, Special Commodities Branch, Food Distribution Ad-

ministration, War Food Administration, Washington 25, D. C., Ref. FDO 21.

(l) *Food Distribution Order No. 18, as amended, not abrogated or suspended.* The provisions of this order shall not be construed to abrogate or suspend Food Distribution Order No. 18, as amended (8 F.R. 1778, 3244, 8388, 9103), or Food Distribution Order No. 18-3, as amended (8 F.R. 8389, 9103, 12122, 13434).

(m) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., January 1, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under Food Distribution Order No. 21, prior to the effective time of this amendment, said Food Distribution Order No. 21, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 1st day of January 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-70; Filed, January 1, 1944;  
4:58 p. m.]

[FDO 21-1]

#### PART 1415—IMPORTED FOODS

##### DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by Food Distribution Order No. 21 (8 F.R. 2077), issued by the Secretary of Agriculture on February 15, 1943, as amended, and in order to effectuate the purposes thereof, it is hereby ordered, as follows:

##### § 1415.7 Delegation of authority—

(a) *Definitions.* The definitions contained in Food Distribution Order No. 21, as amended, shall, when used herein, have the same meaning as set forth in said Food Distribution Order No. 21, as amended; and when used herein, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "order" means Food Distribution Order No. 21 (8 F.R. 2077), issued by the Secretary of Agriculture on February 15, 1943, as amended.

(2) The term "Order Administrator" means the person designated by the Director to serve as Order Administrator or alternate for the Order Administrator.

(3) The term "tea allocation supervisor" means the person designated by the Director to serve in that capacity.

(b) *Authority delegated.* In accordance with the provisions of the order, there is hereby delegated the following authority:

(1) The Order Administrator shall exercise the authority conferred upon the Director by the provisions of § 1415.1 (b) (2) and § 1415.1 (b) (3) of the order.

(2) Under the supervision of the Order Administrator, the tea allocation supervisor may exercise the authority granted in § 1415.1 (b) (3) of the order.

## FEDERAL REGISTER, Wednesday, January 5, 1944

(c) *Retention of authority by the Director.* Nothing herein contained shall be construed to abrogate any powers or authority vested in the Director by the order.

(d) *Effective date.* The provisions hereof shall become effective at 12:01 a. m., e. w. t., January 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 21, as amended, 8 F.R. 2077)

Issued this 1st day of January 1944.

Roy F. HENDRICKSON,  
Director of Food Distribution.

[F. R. Doc. 44-69; Filed, January 1, 1944;  
4:57 p. m.]

[FDO 81, Amdt. 1]

PART 1440—ESSENTIAL OILS

OIL OF PEPPERMINT

Food Distribution Order No. 81 (8 F.R. 12525), issued by the War Food Administrator on September 10, 1943, is amended to read as follows.

§ 1440.1 *Restrictions relative to oil of peppermint*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) The term "oil of peppermint" means: (i) the volatile oil distilled by steam, or processed by any other means, from any variety of the peppermint plant, including, but not limited to, the varieties *mentha piperita* and *mentha arvensis*; or (ii) the quantity of oil of peppermint, as defined in (i) above, contained in any blend, compound, or concentrate which is designed or intended for use in further manufacturing operations.

(3) The term "chewing gum" means any preparation of chicle, or other similar substance, which has been sweetened and flavored for chewing, and which contains oil of peppermint.

(4) The term "confectionery" means any preparation of candy, sweetmeats, or other form of sweets, which contains oil of peppermint, including, but not being limited to, peppermint candy and cough drops.

(5) The term "pharmaceutical preparation" means any combination of drugs (other than cough drops) compounded for medicinal use, and which contains oil of peppermint.

(6) The term "dentifrice" means any powder, liquid, or paste, which contains oil of peppermint, and which is generally designed and intended for use in connection with (i) the cleaning of natural or artificial teeth; (ii) the massaging of the gums or palate; or (iii) the stabilizing of dentures, or for use otherwise in connection with dentures.

(7) The term "menthol" means the product, known commercially by that name, which is extracted from oil of peppermint, and which is either a liquid,

crystalline, or granular compound, and which has the taste and odor of peppermint.

(8) The term "miscellaneous article" means any finished preparation or product (other than chewing gum, confectionery, pharmaceutical preparations, dentifrices, or menthol) which contains oil of peppermint, including, but not being limited to, soaps.

(9) The term "year" means the consecutive 12-month period extending from October 1 of any calendar year to September 30 of the following calendar year, both inclusive.

(10) The term "calendar quarter" means any consecutive three-month period beginning either October 1, or January 1, or April 1, or July 1 of any year.

(11) The term "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions on use of oil of peppermint.* (1) No person shall, in any calendar quarter, use oil of peppermint in any class of use, listed in the following schedule in excess of the quantity equal to the percentage, specified in such schedule, of his use of oil of peppermint in that same class of use during the corresponding calendar quarter in 1941:

Class of use:	Permitted percentages of 1941 use
Manufacture of chewing gum	70
Manufacture of confectionery	70
Manufacture of pharmaceutical preparations	100
Manufacture of dentifrices	75
Manufacture of miscellaneous articles	70

Any person who did not manufacture the particular product during the corresponding calendar quarter in 1941 may, upon making written application therefor to the Director and furnishing such information as the Director may require, be granted a use quota, for the manufacture of such product, for the calendar quarter or calendar quarters specified by the Director and in such amount as the Director may deem to be necessary or appropriate in the public interest and to promote the national defense. The Director is hereby authorized to grant or refuse to grant a quota to any such person who submits an application and information, as aforesaid; and the Director may modify, amend, or rescind any such quota granted by him, as aforesaid. No person shall, in any calendar quarter, use oil of peppermint in excess of the quota prescribed, as aforesaid, by the Director.

(2) No person shall, in any calendar quarter, use oil of peppermint in the manufacture of menthol unless or until,

as a result of his having made written application therefor to the Director and having furnished such information as the Director may require, he has been granted a use quota, for the manufacture of menthol, for such calendar quarter or calendar quarters and in such amount as the Director may deem will be necessary or appropriate in the public interest and to promote the national defense.

The Director is hereby authorized to grant or refuse to grant a quota to any such person who submits an application

and information, as aforesaid; and the Director may modify, amend, or rescind any such quota granted by him, as aforesaid. No person shall, in any calendar quarter, use more oil of peppermint in the manufacture of menthol than the quota which has been granted to him by the Director.

(3) Any person who has, during the period between the effective date (September 13, 1943) of Food Distribution Order No. 81 (8 F.R. 12525), and the effective date (November 1, 1943) of this amendment to said order, used oil of peppermint in any class of use referred to in (1) or (2) of this paragraph (b) in an amount in excess of 30 percent of the quantity of oil of peppermint used by him in the same class of use during the corresponding period in 1941, pursuant to authorization by the Director on a petition for relief from hardship, filed in accordance with the provisions of paragraph (g) of said Food Distribution Order No. 81, shall deduct, in the manner specified in the last sentence of this paragraph (3), such amount used in excess of 30 percent of the amount used for the same purpose or purposes, during the corresponding period in 1941, from his quota of oil of peppermint for the same class of use. Any person who has, during the period between the date on which this amended order is made effective (November 1, 1943) and the date on which this amended order is issued (January 1, 1944) used more oil of peppermint in any class of use referred to in (1) or (2) of this paragraph (b) than his quota specified in this amended order for the same class of use during the calendar quarter in which such period is included, shall not, on that account, be deemed to have violated the provisions of either such original order or this amended order in any case where the Director had previously authorized, pursuant to action taken by him on a petition for relief from hardship filed in accordance with the provisions of paragraph (g) of said Food Distribution Order No. 81, such use to that extent; but any such excess amount so used shall be deducted, in the manner specified in the next sentence of this paragraph (3), by such person from his quota of oil of peppermint for the same class of use provided for in this amended order. Any excess use of oil of peppermint referred to in the two preceding sentences shall be deducted by the user from his quota of oil of peppermint for the same class of use for any subsequent calendar quarter which he may elect prior to the calendar quarter which will begin on October 1, 1944.

(4) Any person may ship oil of peppermint outside the limits of the 48 States of the United States and the District of Columbia in any case where he has obtained authorizations for such shipment as may be required by the appropriate Federal governmental organizations other than the War Food Administration.

(c) *Quota exemptions.* The restrictions as to the use of oil of peppermint, as contained herein, shall not apply, in any quota period, to any person who used oil of peppermint during 1941 in his

manufacturing operations, or other uses, but whose aggregate use of oil of peppermint in such current quota period is 10 pounds or less.

(d) *Restrictions on inventory of oil of peppermint.* (1) Any person who had an inventory of oil of peppermint on November 1, 1943, which was in excess of his permitted usage of oil of peppermint for the year (as defined in (a) (9) hereof) is not required by this amended order to dispose of such excess, but he may retain and use it as permitted in (b) hereof: *Provided*, That no such person shall make any further purchase of oil of peppermint, except in accordance with the terms and conditions which are set forth in (2) of this paragraph (d).

(2) No person, other than the person who had an inventory of oil of peppermint on November 1, 1943 which was in excess of his permitted usage, as provided in (1) of this paragraph, shall, on or after November 1, 1943, own, control, or have in his possession (either personally, or through an agent, or bailee) more oil of peppermint in the aggregate during any year (as defined in (a) (9) hereof) than his quota of oil of peppermint for that year. That is, the total requirements of oil of peppermint by any person (either personally, or through an agent, or bailee) during any such year shall not, when added to the amount of oil of peppermint which he had on hand (either personally, or through an agent, or bailee) unused at the beginning of that year, exceed his quota of oil of peppermint for such year: *Provided*, That any person may carry on hand at any one time, in addition to the amount authorized in the two preceding sentences, a stock of oil of peppermint sufficient to meet his requirements for the next succeeding 90 days in manufacturing products for delivery to or for the account of the agencies or persons listed or referred to in (f) hereof. *Provided further*, That the Director may, if he shall deem it desirable to do so at any time, fix the amount of oil of peppermint which any such person may carry on hand for such non-quota use, in which event the amount so fixed by the Director shall be the maximum amount which may be carried on hand for that purpose.

(3) The restrictions set forth in (1) and (2) of this paragraph (d) shall not apply to any person in connection with oil of peppermint which he manufactures, or which he holds, in the capacity of wholesaler or dealer, for sale to others: *Provided*, That those restrictions shall apply in connection with oil of peppermint which he uses in manufacturing other products.

(e) *Carrying over of quotas.* If, in any calendar quarter, any person does not use, in any class of use, his quota of oil of peppermint, as provided for in (b) hereof, he may carry over such unused portion to the succeeding calendar quarter or quarters and use such portion during any such succeeding quarter or quarters in his discretion.

(f) *Non-quota uses.* Notwithstanding the restrictions contained in (b) hereof, and without charge to his quotas

thereunder, any person may use any amount of oil of peppermint necessary for the manufacture of any product listed in (b) hereof which is to be delivered to:

(1) The Army, Navy, Marine Corps, or Coast Guard of the United States (including, but not limited to, United States Army post exchanges, United States Navy ships' service departments, and United States Marine Corps post exchanges);

(2) The Food Distribution Administration, War Food Administration (including, but not limited to, the Federal Surplus Commodities Corporation);

(3) The War Shipping Administration;

(4) The Veterans Administration;

(5) The United Service Organizations, Inc.;

(6) Any person who, pursuant to a food distribution regulation, is entitled to purchase oil of peppermint subject to this order;

(7) Any other instrumentality or agency designated by the War Food Administrator;

(8) Any person for use in the manufacture of any product to be delivered to any of the agencies or persons listed or referred to in (1), (2), (3), (4), (5), (6), and (7) of this paragraph (f); or

(9) Any wholesaler or jobber for delivery to any of the agencies or persons listed or referred to in (1), (2), (3), (4), (5), (6), and (7) of this paragraph (f): *Provided, however*, That the responsibility shall be upon the person claiming such exemption for non-quota use to establish, to the satisfaction of the Director, that the oil of peppermint involved was actually used in the manufacture of the products delivered to one or more of the exempt agencies or persons listed or referred to above.

(g) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued, or payments made thereunder.

(h) *Territorial extent.* This order shall apply only to the 48 States of the United States and the District of Columbia.

(i) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of oil of peppermint of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(j) *Records and reports.* (1) Each person who uses oil of peppermint and who used more than 40 pounds of oil of peppermint in any calendar year during 1941, 1942, or 1943 shall, within 30 days after the date of the issuance of this amended order, report to the Director on Form No. FDO 81-2 the number of pounds of oil of peppermint used by him in any of those years, and the quantity of oil of peppermint which he had on hand (either personally, or through an agent, or bailee) on December 31, 1943.

(2) The Director shall be entitled to obtain such other information from, and require such other reports and the keep-

ing of such other records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(3) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in oil of peppermint.

(4) The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(k) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, Food Distribution Order No. 81, Special Commodities Branch, Food Distribution Administration, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken by the Order Administrator on the petition, by requesting the Order Administrator therefor, he shall obtain a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final.

(l) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using oil of peppermint, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provisions of this order.

(m) *Delegation of authority.* The Administration of this order, and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(n) *Communications.* All reports required to be filed and all communications concerning this order shall be addressed to Order Administrator, Food Distribution Order No. 81, Special Commodities

Branch, Food Distribution Administration, Washington 25, D. C., Ref. FDO 81.

(o) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., November 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 2334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 1st day of January 1944.

ASHLEY SELLERS,

Assistant War Food Administrator.

[F. R. Doc. 44-71; Filed, January 1, 1944; 4:57 p. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter I—War Relocation Authority

#### PART 5—ISSUANCE OF LEAVE FOR DEPARTURE FROM A RELOCATION AREA

Pursuant to the provisions of Executive Order No. 9102 of March 18, 1942, Part 5, Chapter I, Title 32 of the Code of Federal Regulations is hereby revised to read as follows:

Sec.

- 5.1 Types of leave.
- 5.2 Application for leave.
- 5.3 Proceedings upon application for leave.
- 5.4 Appeals; requests for reconsideration.
- 5.5 Leave assistance; reports during leave.
- 5.6 Modification of leave.
- 5.7 Restrictions on leave.
- 5.8 Expiration of leave.
- 5.9 Definitions.
- 5.10 Effective date.
- 5.11 Forms.

AUTHORITY: §§ 5.1 to 5.11, inclusive, issued under E.O. 9102, 7 F.R. 2165.

§ 5.1 *Types of leave.* Leaves are of the following types:

(a) A short term leave, for not more than sixty days, for attending to affairs requiring the applicant's presence outside the relocation area;

(b) A seasonal work leave, for seasonal employment and residence outside the relocation area; and

(c) An indefinite leave, for indefinite employment, education, or residence outside the relocation area.

§ 5.2 *Application for leave.* Any person residing within a relocation center who has been evacuated from a military area or who has been specifically accepted by the War Relocation Authority for residence within a relocation center may apply for leave. No such person shall depart from a relocation area before receiving leave.

§ 5.3 *Proceedings upon application for leave.* (a) Short term leaves, seasonal work leaves, and indefinite leaves may be issued by the project director in accordance with the provisions of this part, as supplemented by instructions issued by the Director from time to time.

(b) Except as may otherwise be determined by the Director, every person eligible to apply for leave who is 17 years of age or older shall file an application for leave clearance before he shall be eligible for leave. After such investigation as may be prescribed by instructions issued by the Director, the project director shall forward the application to the

Director with his recommendations. The Director will secure from the Federal Bureau of Investigation such information as may be obtainable and will take such additional steps as may be necessary to determine the probable effect of the issuance of indefinite leave to the applicant upon the war program and upon the public peace and security. The Director will thereupon approve or disapprove the application and instruct the project director accordingly. A person whose application for leave clearance is disapproved shall be ineligible to receive indefinite leave and shall be transferred to the Tule Lake Center in northern California. A person resident at the Tule Lake Center whose application for leave clearance is approved shall be transferred to another center.

(c) Indefinite leave may be issued prior to approval of an application for leave clearance only in accordance with instructions issued by the Director from time to time. In the case of each application for indefinite leave, the Director will cause such steps to be taken as may be necessary to satisfy himself concerning the applicant's willingness to make the reports required of him under the provisions of this part, his means of support, the conditions and factors affecting his successful maintenance of residence at the proposed destination, the probable effect of the issuance of the leave upon the war program and upon the public peace and security, and such other conditions and factors as may be relevant. The Director will issue instructions covering the issuance or denial of indefinite leave in each such case. The project director shall issue or deny indefinite leaves pursuant to such instructions.

(d) A leave shall issue to an applicant in accordance with his application in each case, subject to the provisions of this part and under the procedures herein provided, as a matter of right, where the applicant agrees to make the reports required of him under the provisions of this part and to comply with all applicable provisions hereof, where there is no reasonable cause to believe that he will not have employment or other means of support or that he cannot otherwise successfully maintain residence at the proposed destination, and where there is no reasonable cause to believe that the issuance of leave in the particular case will interfere with the war program or otherwise endanger the public peace and security.

(e) Such special conditions may be attached to the leave to be issued in a particular case as may be necessary in the public interest. The special conditions to be so attached shall be governed by instructions issued from time to time. Every leave issued under the provisions of this part shall state the conditions that are applicable thereto.

(f) The project director shall promptly notify the applicant of the approval or disapproval of an application for leave or leave clearance, and of any special conditions attached to the approval of an application for leave, with a statement of the reasons therefor. In the case where the application for leave has been dis-

proved, or has been approved subject to special conditions, the project director shall advise the applicant of his right to appeal under the provisions of § 5.4.

(g) An applicant shall be required to arrange with the project director, in conformity with the applicable instructions of the Director, to provide for the support of any dependents of the applicant left in a relocation center.

(h) The project director shall promptly notify the Director of the names of any persons who have failed to return to the relocation center upon expiration of leave.

§ 5.4 *Appeals; requests for reconsideration.* (a) Any applicant whose application for a short term or seasonal work leave has been disapproved or approved with special conditions under § 5.3 may submit to the project director, within ten days following receipt of notice of such action, an appeal requesting the project director to transmit the appeal and all related papers to the Director. The applicant may submit any supplemental written statement he wishes in support of the appeal. Within five days following receipt of such an appeal, the project director shall transmit the appeal and all related papers to the Director, together with any supplemental statement he believes necessary or desirable.

(b) Every person resident at the Tule Lake Center whose application for leave clearance has been disapproved shall upon written request be entitled to reconsideration of his case by the Director. Prior to such reconsideration the request shall be referred to a board of persons designated by the Director who are not employed by the War Relocation Authority in any other capacity. The board shall conduct a full investigation and make findings of fact and recommendations to the Director with respect to the disposition of the request for reconsideration. During the course of such investigation, the applicant shall be given full opportunity to be heard before the board.

(c) The Director will thereupon consider the appeal, or request for reconsideration, as if it were a proper original application, and will issue instructions for the issuance or denial of leave, or the approval or disapproval of leave clearance, as the case may be, in accordance with the applicable provisions of this part. The Director will notify the project director of his disposition of the case, and the project director shall notify the applicant accordingly.

§ 5.5 *Leave assistance; reports during leave.* (a) The project director shall provide transportation for the applicant to whom a leave has been issued to the most convenient railroad or bus station. Assistance in meeting transportation costs to destination and initial subsistence expenses may be provided, in accordance with instructions issued by the Director from time to time, to persons to whom indefinite leave has been granted.

(b) Every seasonal work leave shall require the center resident to report his arrival and every change of address to the relocation officer. Each applicant

for indefinite leave shall be required to agree to notify the Director promptly of his arrival at destination, his business or school and residential addresses, and all subsequent changes in school, employment, or residence.

**§ 5.6 Modification of leave.** (a) Any center resident to whom a short term leave has been issued may submit to the project director of the relocation center in which he resides a written application for an extension of such leave for a specified period. Any center resident absent from the center under a seasonal work leave may apply to the relocation officer for an extension of such leave for a specified period. Each such application must be submitted in due time for consideration before the original leave expires. Extensions of leave shall be issued or denied upon the same grounds as applications for original leave. No short term leave shall be prolonged beyond a total period of 60 days. A seasonal work leave may be extended in recurring periods of not more than 60 days if the seasonal employment is not completed or if the applicant obtains other similar employment. There shall be no implied authorization to remain on leave pending disposition of an application for extension.

(b) Any center resident absent from the center under a seasonal work leave may apply to the relocation officer for a modification or change in the travel area specified in the leave.

(c) Any center resident may, while absent from a center under a short term leave, apply to the project director of the center for indefinite leave. Any center resident absent from a center under seasonal work leave may apply for short term leave, indefinite leave, or leave clearance through the relocation officer. Within the limits prescribed by instructions issued by the Director from time to time, applications may be made and processed while the applicant is absent from the relocation center on leave.

**§ 5.7 Restrictions on leave.** (a) No short term leave or seasonal work leave issued under the provisions of this part shall authorize the person to whom the leave is issued to be present in any place except at, or en route to or from, a destination stated in the leave, within the dates stated therein. More than one destination may be stated in the leave where necessary. Such destination shall be defined in terms of towns or counties as accurately as practicable.

(b) An indefinite leave may permit travel unlimited except as to restrictions imposed by military authorities with reference to military areas or zones, or may permit only travel within designated states, counties, or comparable areas.

(c) Whenever the military authorities of the United States require a pass or other authorization to enter any designated area, no leave shall be issued under the provisions of this part to permit entry into such area until the required pass or authorization has been obtained for the applicant. Whenever such military authorities impose restrictions on movement or conduct within the area, the continuance of such leave shall be

contingent upon the observance of any such restrictions in addition to the observance of the other conditions of such leave.

(d) When any alien of enemy nationality is issued a leave under the provisions of this part, the leave shall recite that travel to the first destination has been permitted by the Department of Justice, and the project director shall notify the United States Attorney of the judicial district in which the first destination is located concerning the name, description, last residence, destination, and date of departure of such alien. Any subsequent travel within the terms of the leave may take place only with the permission of the United States Attorney for the judicial district including the new point of departure. In addition, the project director shall arrange for the alien to notify the Immigration and Naturalization Service and the Federal Bureau of Investigation of his change of address, in accordance with Department of Justice regulations controlling the conduct of enemy aliens. If such alien has been paroled by order of the Attorney General or the War Department, or released under bond or on his own recognizance pending deportation, leave shall not issue until supervisory arrangements satisfactory to the Immigration and Naturalization Service have been completed.

**§ 5.8 Expiration of leave.** (a) Any leave issued under the provisions of this part shall expire:

(1) On the expiration date stated in the leave; or

(2) On the return to a relocation center, as a resident, of the person to whom the leave has been issued; or

(3) At any time that the person to whom the leave has been issued shall violate any of the conditions applicable to such leave; or

(4) On notice from the Director, the project director, or the relocation supervisor that the leave is revoked pursuant to the provisions of paragraph (b) of this section.

(b) The Director may revoke any leave when conditions are so far changed, or when such additional information has become available, that an original application by such person for leave would be denied under the provisions of this part. The project director may revoke any short term leave and the relocation supervisor may revoke any seasonal work leave on similar grounds. When the project director or relocation supervisor revokes a leave he shall promptly notify the Director.

**§ 5.9 Definitions.** As used in this part:

(a) "Director" means the Director of the War Relocation Authority.

(b) "Project director" means the project director of the War Relocation Authority for the relocation center in which the particular applicant or person to whom a leave has been issued resides or resided at the time application was made.

(c) "Relocation supervisor" means the relocation supervisor of the War Relocation Authority for the area in which

the particular person to whom a leave has been issued is to be found.

(d) "Relocation officer" means the relocation officer of the War Relocation Authority for the district in which the particular person to whom a leave has been issued is to be found. A relocation officer is under the immediate supervision of a relocation supervisor; his district comprises a territorial subdivision of the area that is within the jurisdiction of the relocation supervisor.

(e) "Relocation center" means a relocation community administered by the War Relocation Authority for occupancy by persons evacuated from military areas.

(f) "Relocation area" means the entire area, administered by the War Relocation Authority, surrounding a relocation center.

(g) "Applicant" includes the applicant for a leave and every member of his family who seeks to accompany him on the leave.

(h) "Center resident" means a person to whom a short term leave or seasonal work leave has been issued under the provisions of this part.

**§ 5.10 Effective date.** The provisions of this part shall become effective on publication in the FEDERAL REGISTER.

**§ 5.11 Forms.** Applications for leave or leave clearance, leaves, and notices provided for in this part shall be made and issued on the prescribed forms wherever such forms are issued by the Director and distributed to the appropriate offices.

Issued at Washington, D. C., the 1st day of January 1944.

D. S. MYER,  
Director.

[F. R. Doc. 44-115: Filed, January 3, 1944;  
12:49 p. m.]

## Chapter IX—War Production Board

### Subchapter B—Executive Vice-Chairman

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Interpretation 3, as Amended Jan. 4, 1944]

### REJECTION OF RATED ORDERS FOR FAILURE TO MEET ESTABLISHED PRICES AND TERMS

The following interpretation is issued with respect to Priorities Reg. 1:

(a) Section 944.2 of Priorities Regulation No. 1 states that a seller must sell his product to any person who presents him with a rated order. Five exceptions under which rated orders may be refused are specified in sub-section (b) of that section. The third exception is where a buyer does not "meet regularly established prices and terms of sale or payment". This exception applies to a seller who receives a rated order for quantities which are less than the minimum which he regularly sells. For example, a manufacturer who has been selling only in carload

lots may reject a rated order for a less than carload lot.

This exception applies similarly to a person who regularly sells only in multiples of a specified quantity and receives a rated order for a number which is not a multiple of that quantity. For example, a manufacturer who regularly sells his product only in standard shipping packages containing one dozen receives a rated order for 40. He may fill the whole order or he may fill it to the extent of 36 and reject it for 4.

A further problem arises when a manufacturer receives such an order with split ratings. For example, suppose the manufacturer who sells his product only in standard shipping packages of a dozen receives an order for 30 rated AA-4 and 20 rated AA-5. In such a case the general rule is that amounts in excess of a multiple of the standard shipping package ordered at higher ratings may be included with amounts ordered at lower ratings if the manufacturer wishes to adhere to his standard shipping package and not fill the order as received. He may then, in the case supposed, treat the order as one for 24 items rated AA-4 and 24 rated AA-5 and reject it for 2 of the items. Of course, he may fill the order as placed if he prefers to do so; but, if he does not he must fill it as illustrated above.

(b) The exception also applies to the seller who regularly sells only to certain types of trade purchasers, such as wholesalers, jobbers or retailers. He may reject orders from other types of purchasers but only if it is practicable to obtain the merchandise in the required quantity through regular trade channels.

(c) It should be noted that the above exception includes the requirement that "there shall be no discrimination . . . in establishing such prices or terms". This means, for example, that a seller who sells principally at wholesale but also at retail to one or more customers may not reject rated retail orders from other customers. However, if a manufacturer or wholesaler has an exclusive distributor, either for all sales or for a particular territory, he may reject orders from other purchasers provided the exclusive distributor is in a position to fill the orders promptly.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-142; Filed, January 4, 1944;  
11:25 a. m.]

**PART 976—MOTOR TRUCKS, TRUCK TRAILERS AND PASSENGER CARRIERS**

[Limitation Order L-1-g, Revocation]

Section 976.17, *Supplementary Limitation Order L-1-g* is hereby revoked. This revocation does not affect any liabilities incurred under the order. The order is superseded by Limitation Order L-1-E, as amended simultaneously with this revocation.

Issued this 4th day of January 1944,

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-133; Filed, January 4, 1944;  
11:23 a. m.]

**PART 1226—GENERAL INDUSTRIAL EQUIPMENT**

[Limitation Order L-123 as Amended Jan. 4, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the manufacture of general industrial equipment for defense, for private account and export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

**§ 1226.1 General Limitation Order L-123—(a) Definitions.** For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "General industrial equipment" means new equipment of the kinds listed, from time to time, in list A. General industrial equipment shall be deemed to be new when it has not been delivered to any person acquiring it for use.

(3) "Manufacturer" means any person producing general industrial equipment.

(4) "Distributor" means any person in the business of distributing general industrial equipment.

(5) "Order" means any commitment or other arrangement for the delivery of general industrial equipment, whether by purchase, lease, rental, or otherwise.

(6) "Approved order" means:

(i) Any order for general industrial equipment bearing a preference rating of A-1-c or higher.

(ii) Any order for general industrial equipment for the Army, the Navy, the Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics, and the Office of Scientific Research and Development.

(iii) [Revoked June 7, 1943.]

(b) *Restrictions on acceptance of orders for, and production and distribution of general industrial equipment*—(1) *General restrictions.* (i) No person shall accept any order for general industrial equipment or commence production of any general industrial equipment in fulfillment of any order, whether accepted or not; unless such order is an approved order.

(ii) No person shall deliver, and no person shall accept delivery of, any general industrial equipment, except pursuant to an approved order.

(iii) The restrictions and limitations of this paragraph (b) (1) shall not apply to:

(a) The delivery of general industrial equipment by any manufacturer to any distributor to fill approved orders actually received by such distributor or to replace general industrial equipment delivered by such distributor to fill an approved order.

(b) The extension by any manufacturer of any preference rating certificate to secure materials for the production of general industrial equipment, or

(c) The delivery, prior to February 1, 1944, by any person of any general industrial equipment to a farmer, in accordance with Priorities Regulation 19.

(c) *Non-applicability to repair or maintenance.* (1) The provisions of paragraph (b) shall not apply to any order for, or delivery of, maintenance or repair parts, (i) in an amount not exceeding \$1,000 for any single piece of general industrial equipment to be repaired or maintained; or (ii) in any amount for the repair of general industrial equipment when there is an actual breakdown or suspension of operations of such piece of equipment because of damage, wear and tear, destruction or failure of parts, or the like, and the essential repair or maintenance parts are not otherwise available.

(2) [Revoked February 27, 1943]

(d) *Applicability of Priorities Regulation No. 1.* This order and all transactions affected thereby are subject to the provisions of Priorities Regulation No. 1 (Part 944), as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(e) *Applicability of other orders.* Nothing in this order shall be construed to permit any person to sell, deliver, or otherwise transfer, or any manufacturer to purchase, receive delivery of, acquire, fabricate or process in any manner, any raw materials, semi-fabricated parts, or finished parts in contravention of terms of any regulation of the War Production Board, effective at the date of any of the transactions specified in this paragraph.

(f) *Existing contracts.* Fulfillment of contracts in violation of this order is prohibited regardless of whether such contracts are entered into before or after May 26, 1942. No person shall be held liable for damages or penalties for default under any contract or order which shall result directly or indirectly from his compliance with the terms of this order.

(g) *Appeals.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him may appeal to the War Production Board setting forth the pertinent facts and the reason he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(h) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C. Ref.: L-123.

(i) *Records and reports.* All manufacturers and distributors affected by this order shall keep and preserve for not less than two years accurate and complete records concerning production, deliveries, and orders for general industrial equipment. All persons affected by this order shall execute and file with the War Production Board, such reports and questionnaires as the War Production Board shall from time to time request.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who wilfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

LIST A

1. Conveying machinery (and any important component part thereof) used for the mechanical handling of materials; except (i) farm elevators included within the provisions of Order L-26, as amended, (ii) machinery or parts used on board ship in the operation of any vessel, or used in the operation of aircraft, tanks, ordnance, or similar combat equipment, (iii) power and hand lift trucks, (iv) cranes, hoists and platform elevators, (v) construction mixers, pavers, graders, drag lines and power shovels, and similar construction machinery, (vi) cars and car dumpers, (vii) steel mill tables, (viii), sintering conveyors, (ix) metal pig conveyors, (x) underground mining machinery (other than slope conveyors); and (xi) conveying machinery covered by any order authorized by the War Production Board under Order L-193.

2. Mechanical power transmission equipment (and any important component part thereof) of the following kinds (except (i) equipment or parts used in the operation of any vessel, or in the operation of aircraft, tanks, ordnance or similar combat equipment or (ii) equipment covered by any order authorized by the War Production Board under Order L-193):

(a) Open and enclosed gearing for transmitting more than  $\frac{1}{4}$  horse power; except marine propulsion gears, gears used as an integral part of a machine, gears built into a turbine, and gears used on household manually powered, automotive, or farm machinery;

(b) Mechanical drives and parts thereof for transmitting more than  $\frac{1}{4}$  horse power; except belting, drives used as an integral part of a machine and drives used on household, manually powered, automotive, or farm machinery.

3. [Revoked Feb. 27, 1943]

4. Turbo blowers, except turbo blowers covered by the provisions of Limitation Order L-163.

5. Industrial compressors and vacuum pumps, mechanically operated, all types; except "Critical Compressors" as defined in General Limitation Order L-100, and units having displacement of less than one cubic foot per minute.

6. [Revoked Feb. 27, 1943]

7. [Revoked Feb. 27, 1943]

8. Stationary steam engines, except marine engines and steam engine generator sets.

9. Air washers.

10. Heat exchangers; except (i) heat exchangers for domestic use, (ii) heat exchangers covered by the provisions of Limitation Order L-172, (iii) surface condensers, (iv) unit heaters, (v) unit ventilators, (vi) blast heating surfaces not enclosed in a pressure vessel, and (vii) convectors designed and used solely for comfort heating of building spaces or for processes requiring heat. "Surface Condenser" means any device consisting

of a shell and bare tubes, including auxiliary air removal equipment when such auxiliary equipment is purchased with and used on said device, which condenses exhaust steam from a steam driven prime mover for the purpose of maintaining a minimum absolute exhaust pressure.

11. Industrial dust collectors.

12. [Revoked Feb. 27, 1943]

13. Portable (platform type) elevators and steel platforms. "Portable (platform type) elevator" means any device mounted on wheels or casters with either power operated or hand operated lift, used primarily to elevate and lower material for the purpose of tiering or stacking; and "steel platform" means any steel platform or skid, with or without box tops or enclosures, standing on legs or legs and wheels, designed for use in handling material in conjunction with hand or power operated lift trucks, portable (platform type) elevators, lift jacks or other similar devices.

14. [Revoked Feb. 27, 1943]

15. [Revoked Feb. 27, 1943]

16. [Revoked Feb. 27, 1943]

17. Safety switches and knife switches, single and double throw, two, three and four pole, rated 60 amperes and higher, 600 volts and below.

18. Circuit breakers, thermal and magnetic trip, manually and electrically operated, rated 50 to 575 amperes, inclusive, 600 volts and below.

19. Lifting magnets, circular type, 18 inches in diameter and larger; and lifting magnet controllers.

20. Dynamometers, electric type; and rotary converters.

21. Electric motors, rated less than one horsepower; except motors used in the operation of passenger automobiles, trucks, truck trailers, passenger carriers and off-the-highway motor vehicles, as defined in Order L-158, or in the operation of stationary automotive type engines.

INTERPRETATION 1

General industrial equipment shall be considered to be delivered, within the meaning of this order, prior to May 26, 1942, when the machinery or equipment has been placed in the hands of a common or contract carrier for shipment to the purchaser prior to May 26, 1942. (Issued June 13, 1942.)

INTERPRETATION 2

Paragraph (a) (2) defines "general industrial equipment" to mean new equipment of the kinds listed, from time to time, in List A to the order. Such equipment is deemed to be new when it has not been delivered to any person acquiring it for use. Paragraph (b) imposes restrictions on the acceptance of orders for, and commencement of production and deliveries of, general industrial equipment.

Paragraph (c) provides an exemption from the restrictions of paragraph (b) for any order or delivery of maintenance and repair parts in an amount not exceeding \$1,000 for any single piece of general industrial equipment to be repaired or maintained; or in any amount for the repair of general industrial equipment when there is an actual breakdown or suspension of operations of such piece of equipment. The exemption provided in paragraph (c) is intended for such repair or maintenance parts to be used to repair or maintain any existing equipment, i. e., equipment which has been delivered for use to a user and requires repair or maintenance. The exemption is not intended to apply to spare parts for new equipment nor is it limited to the repair or maintenance of equipment delivered after the date of the order. (Issued December 14, 1942.)

INTERPRETATION 3

It has been the practice of the motor repair industry to take in trade a broken down fractional horsepower motor and repair it for redelivery to another customer, on a similar basis, rather than to engage in repair of a fractional horsepower motor at the point of operation. The sale of the fractional horsepower motor for replacement would be within the exemption provided by paragraph (c) of Order L-123 (§ 1226.1) with respect to delivery of maintenance and repair parts, if it is the practice of the seller to take in trade the broken down motor, to repair it or have it repaired where practicable, and to resell it under similar conditions. (Issued July 14, 1943.)

[F. R. Doc. 44-137; Filed, January 4, 1944; 11:24 a. m.]

PART 1253—BERYLLIUM SCRAP

[Supplementary Order M-160-a as Amended  
Jan. 4, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of beryllium scrap for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1253.2 Supplementary Order M-160-a—(a) Definitions. For the purposes of this order.

(1) "Beryllium scrap" means all copper or copper base alloy materials or objects which are the waste or by-product of industrial fabrication or which have been discarded on account of obsolescence, failure or other reason, and which contain 0.1% or more of metallic beryllium.

(2) "Producer" means Beryllium Corporation of Pennsylvania, Brush Beryllium Company, Clifton Products, Inc., and any other persons who may be so designated in writing by the War Production Board.

(3) "Approved smelter" means any person whose name appears on Schedule A attached to this order as the same may be amended from time to time.

(4) "Dealer" means any person regularly engaged in the business of buying and selling beryllium scrap.

(b) *Restrictions on use of beryllium scrap.* (1) No person other than a producer or an approved smelter, shall melt, reprocess, smelt or otherwise use beryllium scrap, unless specifically authorized so to do in writing by the War Production Board on application made by letter to the Mica-Graphite Division. Reference: M-160-a; provided, however, that a brass mill may remelt beryllium scrap generated by it and that a foundry may remelt its gates, sprues and risers, if in so doing the brass mill or foundry does not debase or contaminate the material, and if, in applying for permission to acquire beryllium copper or beryllium master alloy, it reduces the requirements on its suppliers by an amount equal to the anticipated recoverable metal. A foundry may also accept a new casting of its own production, which is found to be defective or was spoiled in ma-

ching, and recast and reship it to replace the original casting.

(2) The War Production Board may issue directives to approved smelters, producers and others who may be permitted to melt beryllium scrap, which directives may direct the exact alloy or alloys which must be produced therewith and the amount of such alloy or alloys, and may prohibit the production of certain alloys. The War Production Board may also issue directives describing the amount of secondary ingot all fabricators and foundries (either integrated or independent) may be required to blend with primary master alloy in the production of fabricated and cast shapes, and the War Production Board may, by directives, designate certain producers or smelters who shall be the only persons permitted to receive and melt beryllium scrap of certain alloys and to produce certain alloys. Directives with respect to all matters described in this paragraph (b) (2) may contain directions as to the production schedules of the persons to whom they are issued.

(c) *Segregation of beryllium scrap.* (1) Any person who in the course of manufacture generates 100 pounds or more of beryllium scrap in a plant in any month after June, 1943, shall carry out thereafter in any such plant the Beryllium Copper Scrap Segregation Program set forth in Schedule B attached to this order and made a part hereof, unless otherwise directed in writing by the War Production Board.

(2) Any person receiving beryllium scrap shall keep such scrap segregated, prior to using it in the manner permitted by paragraph (b) hereof to at least the same extent as when it was received by him; and if he redelivers such scrap he shall do so segregated at least to the same extent as when it was received by him.

(d) *Contamination of beryllium scrap.* No person shall contaminate beryllium scrap with any other material except that a producer or approved smelter may mix beryllium scrap with other metals in the production of beryllium master alloys or beryllium copper subject to the restrictions contained in any applicable directives and that a brass mill or foundry may mix beryllium scrap with other metals when using beryllium scrap to the extent permitted by the provisions of paragraph (b) (1) hereof.

(e) *Sale and delivery of beryllium scrap.* Except as otherwise specifically authorized in writing by the War Production Board, all persons generating or holding beryllium scrap shall after September 1, 1943, deliver all such scrap at intervals not to exceed 30 days (except that brass mills or foundries may retain for more than 30 days beryllium scrap which they are entitled to use under the provisions of paragraph (b) (1) hereof) in accordance with the following provisions:

(1) *Segregated plant scrap.* Unless the War Production Board has issued a directive in writing to the contrary pursuant to paragraph (e) (4) hereof, beryllium scrap generated in the course of manufacture in a plant subject to the Beryllium Copper Scrap Segregation

Program by paragraph (c) (1) hereof and beryllium scrap in such plant consisting of defective or rejected material, shall be segregated in accordance with the program (Schedule B). After segregation, such beryllium scrap shall be shipped directly to any producer or approved smelter ~~provided, however, that~~ where the amount of such scrap of any one type required to be kept separate by the program does not amount to 200 pounds in any month, the scrap of such type may also be shipped directly to any dealer.

(2) *All other scrap.* Unless the War Production Board has issued a directive in writing to the contrary pursuant to paragraph (e) (4) hereof, any person (other than a dealer) who owns or originates any beryllium scrap which he is not required to segregate in accordance with paragraph (c) (1) of this order, shall deliver such scrap to any dealer or approved smelter and shall not use or dispose of such scrap in any other way.

(3) *Dealers operations.* Unless the War Production Board has issued a directive in writing to the contrary pursuant to paragraph (e) (4) hereof, all dealers must deliver any beryllium scrap (whether or not deemed to be usable in "as is" form) to a producer or approved smelter; ~~provided, however, that~~ any dealer may sell any beryllium scrap to another dealer if, in the regular course of business, he does not currently collect sufficient beryllium scrap to make it practicable for him to sell directly to a producer or approved smelter.

(4) *Directives.* The War Production Board may issue directives to a particular person or to a class of persons directing him or them to deliver beryllium scrap of certain alloys to another specific person or to a class of persons.

(f) *Certification upon sale of segregated scrap.* The generator of beryllium scrap which is segregated as provided in paragraph (c) (1) hereof and the Beryllium Copper Scrap Segregation Program (Schedule B), shall furnish the person to whom he makes delivery of such scrap with a signed document in the form of WPB 3067, or in substantially similar form showing:

- (i) The alloy number or the designation "mixed beryllium scrap" when applicable;
- (ii) Form of scrap;
- (iii) Weight (on a clean and dry basis, moisture content estimated, if necessary); and
- (iv) The name and address of the plant where generated.

This document shall bear a notation as to the date of delivery and names and addresses of the parties to the transaction, and, in case of redelivery of such scrap, shall be endorsed and delivered to the person receiving such scrap. Any person delivering scrap segregated as provided in Part I of the Program (Schedule B), shall clearly mark it showing the alloy number or specification, form and source. No mixed beryllium scrap or beryllium scrap other than scrap segregated in accordance with Part I of the Program (Schedule B), shall be designated as "segregated scrap" by any person.

(g) *Tolling prohibited.* No beryllium scrap may be delivered or received pursuant to toll, repurchase or similar arrangement, unless such transaction is specifically authorized in writing by the War Production Board.

(h) *No acquisition or delivery in violation of order.* No person shall hereafter acquire or deliver beryllium scrap or products made therefrom if he has reason to believe such material has been or is to be used in violation of the terms of this or any other order of the War Production Board: *Provided, however,* That any producer or approved smelter may acquire beryllium scrap for any purpose permitted by this order and any directives issued hereunder at any time, irrespective of the right of the person disposing of the same to have acquired or to deliver such scrap.

(i) *Records.* Each person who participates in any transaction involving beryllium scrap shall keep and preserve for at least two years complete and accurate records as to all such transactions, which records shall be subject to inspection by the War Production Board. This record-keeping requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Reports.* Any person generating or receiving beryllium scrap in any quarter, or having in his possession beryllium scrap at the end of any calendar quarter, shall file with the Mica-Graphite Division quarterly reports on Form WPB 3066 not later than the 20th day after the end of such calendar quarter, if he is instructed so to do by instructions on Form WPB 3066, or if otherwise specifically directed by War Production Board. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Addressing of communications.* All applications, statements, reports or other communications filed pursuant to this order or concerning the subject matter hereof, should be addressed to: War Production Board, Mica-Graphite Division, Washington 25, D. C., Reference: M-160-a.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE A—APPROVED BERYLLIUM SMELTERS

American Brass Company, Waterbury, Connecticut.

Wilbur B. Driver Company, Newark, New Jersey.

Riverside Metal Company, Riverside, New Jersey.  
Beryllium Corporation of Pennsylvania, Reading, Pennsylvania.

**SCHEDULE B—BERYLLIUM COPPER SCRAP SEGREGATION PROGRAM**

**I. Segregation of beryllium scrap other than mixed beryllium scrap—(1) By alloy content.** Beryllium scrap (other than mixed beryllium scrap as hereinafter defined) of each individual alloy (for example, nickel or cobalt bearing scrap) shall be segregated from beryllium scrap of every other alloy.

**NOTE:** Scrap from plated or otherwise coated material may not be included with uncoated material of the same alloy specifications.

**(2) By form.** In addition to the above segregation on the basis of alloy content, the scrap of each alloy (other than mixed beryllium scrap as hereinafter defined) shall be segregated into four form types:

(i) "Solids from wrought shapes" generated by shearing, clipping, cutting, blanking or similar processes and also defective or rejected wrought beryllium parts.

(ii) "Casting solids" consisting of defective or rejected casting and gates, sprues, risers or similar foundry scrap.

(iii) "Wrought machinings" generated by machining, drilling, boring, turning, milling or like operations on wrought products or wrought parts.

(iv) "Casting machinings" generated by machining, drilling, boring, turning, milling or like operations on foundry products and parts made therefrom.

In no event shall solids and machinings be combined.

**II. Segregation of mixed beryllium scrap by form—(1) Definition.** "Mixed beryllium scrap" shall consist of beryllium scrap in the form of solids or machinings, the alloy content of which cannot be identified, or of grindings, sawings, buffings and other fines and of drosses, skimmings and sweepings.

**(2) Classification.** All mixed beryllium scrap shall be segregated into four classes as follows:

- (i) Solids;
- (ii) Machinings;
- (iii) Sawings;
- (iv) Drosses, skimmings, grindings, buffings and sweepings and other fines.

Each of the four classes of mixed beryllium scrap shall be handled separately from each other class of mixed beryllium scrap and from all other beryllium scrap.

**III. General provisions—(1) Official responsible for handling beryllium scrap.** Each person operating a plant generating in any month after June, 1943, 100 pounds or more of beryllium scrap, shall appoint a responsible employee to supervise the collection, segregation and handling of all beryllium scrap generated in the plant. The name of such employee shall be forwarded to the Mica-Graphite Division, Washington 25, D. C. No dealer or other person not a regular employee of the plant shall perform any such function except as the War Production Board may specifically authorize in writing.

**(2) Collection and identification.** Segregation shall be effected at the machine where the beryllium scrap is generated. Separate containers for collection and bins for storage shall be provided for each type of beryllium scrap required to be segregated by this program. All containers and bins shall be clearly marked to identify the alloy and the form of scrap for which they are intended, and they shall be kept clean, dry and in good condition, so that their contents shall be protected from contamination and the weather. Each container and bin shall be used only

as a receptacle for the alloy and form of scrap for which it is designated and marked.

**(3) Identification of segregated scrap for shipment.** Each unit of segregated scrap shall, upon shipment, be clearly marked or labelled to show the alloy number or the designation "mixed beryllium scrap" where applicable, the form and the source, i. e., the plant where generated.

**(4) Obligation as regards subcontractors.** Each person operating a plant as part of his arrangement with any subcontractor to whom he furnishes beryllium copper, shall impose an obligation upon, and otherwise make every effort to see to it that, such subcontractor institutes and carries out an adequate beryllium copper scrap collection and segregation program in conformance with this schedule and Order M-160-a.

[F. R. Doc. 44-143; Filed, January 4, 1944; 11:25 a. m.]

permitted by paragraph (b) (2) of this schedule, no person shall manufacture any rotary file in any size or shape other than the sizes and shapes specified in the attached Appendix, and then only as follows:

(i) Shanks for any rotary files having a cutting diameter of  $\frac{1}{2}$ " or more shall be manufactured from carbon steel only.

(ii) The diameter of the shank for any rotary file having a cutting diameter of less than  $\frac{1}{2}$ " shall be limited to  $\frac{1}{4}$ ".

(iii) Where the shank is manufactured from alloy steel, the over-all length of any rotary file having a cutting diameter of less than  $\frac{1}{2}$ " shall not exceed  $2\frac{1}{2}$ ", except that where the cutting length and shoulder length combined total  $1\frac{1}{2}$ " or more, the shank length may be up to  $1\frac{1}{2}$ " and the over-all length may accordingly exceed  $2\frac{1}{2}$ ".

(2) (i) Any producer may manufacture special rotary files not permitted by paragraph (b) (1) which are required to fill actual purchase orders received by the producer, but the total quantity of such special files which any producer may put into production in any month may not exceed 25% of the producer's total production in the preceding month. Total production means the total number of rotary files produced. These special rotary files may not be manufactured for the producer's stock.

(ii) Any producer now manufacturing rotary files having a cutting length shorter than that set forth in the attached Appendix may continue such manufacture subject, however, to all other limitations contained in this schedule; provided, however, that no such manufacturer shall also manufacture the same shape rotary file having the cutting length specified in the attached Appendix. 1/2

(c) **Selection of sizes for regular manufacture.** If, with respect to any shape of rotary files, it is indicated under a particular shape in the Appendix attached hereto that a certain size thereof shall be selected, each producer shall select such size as he may desire to manufacture regularly and shall forthwith give notice in writing of such selection to the War Production Board, Tools Division, Ref.: L-216 Schedule IV. The producer may thereafter apply for leave to amend the original selection, but unless and until such leave is granted by the War Production Board in writing, the original selection shall remain binding upon such producer.

(d) **Chip-breakers eliminated.** On and after June 15, 1943, no chip-breakers shall be cut in any new rotary files or in any used rotary files which are being resharpened or converted unless specifically requested by the purchaser.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

Appendix to Schedule IV to L-216  
(Dimension in inches)

APPENDIX TO SCHEDULE IV TO L-216—Continued  
 (Dimension in inches)

[F. R. Doc. 44-138; Filed, January 4, 1944; 11:24 a. m.]

PART 3114—SIMPLIFICATION AND STANDARDIZATION OF PORTABLE TOOLS, CHUCKING EQUIPMENT, MECHANIC'S HAND SERVICE TOOLS, FILES, HACK AND BAND-SAWS, VISES, AND MACHINE TOOL ACCESSORIES

## VISES

§ 3114.7 Schedule VI of Limitation  
Order L-216—(a) Definitions. For the

purpose of this schedule and the table attached hereto:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) Names of various types of vises shall have the same meaning as in Federal Specifications GGG-V-436-a, and the illustrations in such specifications

shall be deemed the graphic descriptions of the vises referred to; provided, however, that none of the other provisions of such specifications shall be controlling.

(3) "Jaw cap" means the cap designed to be placed across the face of the jaw of a vise to cover the surface of the jaws.

(b) *Manufacture of jaw caps.* No person shall perform any manufacturing operation upon or sell any jaw caps made of any metal other than lead or lead base alloy.

(c) *Limitation on manufacture of vises.* (1) No person shall use in the manufacture of vises any metals other than carbon steel or cast or malleable iron, except that jaw facings may be manufactured of tool steel.

(2) No person shall manufacture any  
vise of any of the types listed in Table 1,  
except in the jaw sizes there specified.

(d) *Exceptions.* Nothing contained in paragraphs (b) and (c) of this schedule shall be deemed to prohibit the sale of jaw caps or vises which on January 4, 1944, were completely fabricated, nor to prohibit the manufacture and sale of jaw caps or vises which on January 4, 1944, had been so fabricated that completion in compliance with the provisions of this schedule would be impracticable. Each person who shall manufacture or sell any jaw cap or vise under the terms of this exception, shall keep and maintain, subject to inspection by the War Production Board, accurate records with respect to each such transaction.

(e) *Manufacture of repair parts.* Nothing contained in paragraph (c) of this schedule shall be deemed to prevent the manufacture of repair parts for vises, notwithstanding the fact that the vises for which such parts are made do not conform to the limitations set forth in this schedule. No person shall assemble repair parts so produced into a complete vise, but shall use them only for the purpose of replacing parts of vises which are broken or so badly worn that they are no longer serviceable.

(f) **Effective date of schedule.** This schedule and the attached table shall take effect January 4, 1944.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
*Recording Secretary.*

TABLE I—TYPES OF VISSES WHICH MAY BE  
MANUFACTURED ONLY IN THE JAW SIZES  
SPECIFIED

NOTE.—Table I, formerly II, redesignated and amended Jan. 4, 1944.

Types of vise:	Jaw size, inches
Combination, bench and pipe, swivel base	4½
	6
	3
	3½
Machinists' bench, stationary base and jaw	4
	4½
	5
	6
	8

	Jaw size, inches
Types of vise—Continued.	2
Machinists' bench, swivel base, stationary jaw	3
	3½
	4
	4½
	5
	6
	8
Machinists' bench, swivel base and jaw	3½
	4½
	6

[F. R. Doc. 44-139; Filed, January 4, 1944; 11:24 a. m.]

**PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN**  
[CMP Reg. 1, Revocation of Direction 12]

**MATERIAL FOR WATER WELLS**

Direction No. 12 to CMP Regulation No. 1 is revoked. Material for water wells may be obtained under Order P-148 for rural and suburban wells, and by filing Form WPB-617 (formerly PD-200) (or other appropriate construction application forms) for other purposes.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-141; Filed, January 4, 1944; 11:25 a. m.]

**PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES**

[General Preference Order E-10, as Amended Jan. 4, 1944]

**ANTI-FRICTION BEARINGS**

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of anti-friction bearings for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

**§ 3274.61 General Preference Order E-10—(a) Definitions.** For the purpose of this order: (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of individuals, whether incorporated or not.

(2) "Producer" means any person who is engaged in the manufacture of anti-friction bearings.

(3) "Anti-friction bearing" means any bearing employing as rolling elements balls of any size or rollers of any size or shape.

(4) "Production order" means

(i) Any purchase order or contract for one or more anti-friction bearings of any one size having a total purchase price of \$500 or more, or

(ii) Any purchase order or contract for more than five hundred anti-friction bearings of any one size.

(5) "Miscellaneous order" means any purchase order or contract for anti-friction bearings other than production orders: *Provided, however, That no person shall subdivide his purchase orders or*

contracts for anti-friction bearings for the purpose of coming within this definition.

(6) "Total quarterly production" means the total number of units of all types of anti-friction bearings to be manufactured by a producer in any given quarter.

(7) "Total monthly deliveries" means the total number of units of all types of anti-friction bearings to be delivered by a producer in any given month.

(8) "Continental United States" means the territory comprising the several States and the District of Columbia.

(b) *Scheduling of total quarterly production.* (1) Each producer shall schedule his total production for the four months period September, October, November and December 1943, and, beginning January 1, 1944, he shall schedule his total quarterly production of anti-friction bearings in such manner as to make available during such period or quarter 85% of his production for delivery against production orders and 15% of his production for delivery against miscellaneous orders: *Provided, however, That these percentages allocated to production orders and miscellaneous orders, respectively, may be varied by any producer to the extent that he does not have enough unfilled purchase orders and estimated future orders reasonably anticipated to be received within the next ninety days to absorb one or the other of such percentage allocations.*

(2) Notwithstanding the provisions of Priorities Regulation No. 1, any producer who shall schedule the production of a given size of anti-friction bearings to fill an order or orders therefor, delivery of which is required during any given quarter, may schedule the production of additional bearings of such size either

(i) When necessary to bring the quantity scheduled to a minimum practicable production run, or

(ii) To meet orders therefor not yet actually received but reasonably to be anticipated within the next 90 days: *Provided, however, That in no event shall the additional quantity of bearings to be scheduled for production to meet such anticipated orders exceed the average quarterly quantity of such bearings sold by such producer during 1942.*

(c) *General Scheduling Order M-293.* Anti-friction bearings now appear on Table 12 of General Scheduling Order M-293. Therefore, in addition to complying with the provisions of General Preference Order E-10, producers are subject to the provisions of General Scheduling Order M-293 including the requirement contained in that order that they file operations reports on Form WPB-1314.

(d) [Deleted Nov. 10, 1943]

(e) *Deletion and addition of purchase orders in schedules.* No producer who receives any instruction from any purchaser to withhold work on, or delivery under, any contract or purchase order for anti-friction bearings shall retain such contract or order in his schedule for more than ten days. Whenever any such contract or order has been deleted from such schedule, the producer shall

immediately notify the purchaser of such action. No contract or order, which shall have been deleted from a producer's schedule pursuant to this paragraph (e), shall be reinstated in the same or any subsequent schedule for delivery on its original schedule delivery date. In the event the purchaser withdraws such instruction to withhold work on, or delivery under, any contract or purchase order, notice of such withdrawal may be treated by the producer as the placing of a new contract or purchase order for the same amount, type and size of anti-friction bearings as covered by the unfilled portion of the original contract or purchase order, and may be scheduled in the same way as a new contract or purchase order.

(f) *Allocation of deliveries against production orders and miscellaneous orders.* Each producer shall allocate 85% of his total monthly deliveries to production orders and 15% of his total monthly deliveries to miscellaneous orders: *Provided, however, That the percentage of total monthly deliveries allocated to production orders and miscellaneous orders, respectively, by this paragraph (f), may be varied by any producer to the extent that such producer does not have sufficient unfilled purchase orders to absorb one or the other of such percentage allocations.* The sequence of deliveries against production orders and miscellaneous orders within the respective percentage limitations on such deliveries imposed by this paragraph (f) shall be scheduled according to the terms of Priorities Regulation No. 1 and other applicable regulations of the War Production Board: *Provided, however, That notwithstanding paragraph (d) of § 944.7 of Priorities Regulation No. 1, material specifically produced for an order for anti-friction bearings rated AA-5 or higher shall not be diverted and delivered under a higher rated order subsequently accepted if such material is completed at the time of the acceptance of the higher rated order or is in production and scheduled for completion within thirty days thereafter, unless such diversion is specifically directed by the War Production Board or unless the subsequently accepted order bears a rating of AAA.*

(g) *Necessity for preference ratings.* No producer shall accept any purchase order for or make delivery of anti-friction bearings unless such order or delivery bears a preference rating of AA-5 or higher: *Provided, That this restriction shall not apply to deliveries against purchase orders received prior to November 24, 1943 which bear a rating of A-10 or higher. Also, deliveries of anti-friction bearings produced in accordance with the provisions of Limitation Order L-158 or L-257 shall not be subject to this restriction.*

(h) *Limitation on inventories.* No person shall accept delivery of any anti-friction bearings of any type and size if his inventory of such type and size of bearings is, or will, by virtue of such acceptance, become greater than the quantity of such item he will be required by his current practices to put into use during the succeeding sixty-day period

for production, construction, operating supplies, or maintenance, or repair, or greater than a minimum practicable working inventory thereof, whichever is smaller; *Provided, however, That the deliveries of anti-friction bearings pursuant to the following designated types of purchase orders shall be permitted to effect such an increase:*

(1) Purchase orders placed by any procurement agency of the United States pursuant to the Act of March 11, 1941, entitled, "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(2) Purchase orders placed by the Army, Navy, or Maritime Commission for anti-friction bearings required for bases or supply depots outside the continental United States, or for bases or supply depots within the continental United States which are maintained for emergency purposes, or to supply such bases or supply depots outside the continental United States.

(3) Purchase orders placed by distributors for anti-friction bearings, which are intended to be used as replacement parts, as defined by paragraph (b) (1) of Limitation Order L-158: *Provided, That in no event shall such distributor's inventory of such bearings exceed the quantities specified in paragraph (h) of Limitation Order L-158.*

(4) Any other purchase order specifically excepted from this restriction by the War Production Board.

(i) *End use classification.* (1) No producer shall schedule any purchase order or contract received after June 1, 1943, for production or delivery unless it contains

(i) An endorsement placed thereon by the purchaser pursuant to CMP Regulation 5 or 5A, or pursuant to an order of the P or U series, assigning preference rating assistance to a particular industry for maintenance, repair or operating supplies, or

(ii) The purchaser's allotment number placed thereon by the purchaser pursuant to CMP Regulation No. 3, or

(iii) In the case of Lend-Lease purchase orders or contracts, a statement of the foreign country for which the anti-friction bearings are purchased, or

(iv) In the case of any other purchase order or contract, if no allotment number or symbol has been assigned, a statement of the product into which such bearings are intended to be incorporated, if known to the purchaser.

(2) Producers are not required to secure any identification of end use with respect to any order placed prior to June 1, 1943, but may be required to report the product into which such bearings are intended to be incorporated, if known to the producer.

(3) Except in the case of Lend-Lease orders, no producer shall schedule production or delivery of any contract or purchase order received after November 24, 1943 for more than one thousand anti-friction bearings unless it is accompanied by a statement of the percentage of such bearings, if any, which are spares; or if no spares are included in such a purchase order, the statement "No spares

included." Spares are those bearings which the purchaser does not build into the end product being produced by him but which are delivered by such purchaser as extra bearings.

(i-1) *Restrictions on disposal of excess bearings.* (1) Notwithstanding the provisions of paragraph (b) of § 944.11 of Priorities Regulation No. 1, any person who has obtained anti-friction bearings with priorities assistance who no longer requires them for the purpose for which the priorities assistance was given, may dispose of them only in one of the following ways:

(i) The bearings may be redelivered to the person from whom they were obtained if such person is willing to accept redelivery; or

(ii) The bearings may be disposed of to fill any order rated AAA; or

(iii) The bearings may be disposed of to fill any order rated AA-5 or higher placed by the Army, Navy, Maritime Commission, or War Shipping Administration, or by any prime or subcontractor of any of them, who will incorporate the bearings into, or will deliver them as spare bearings with, a product being manufactured by him.

(iv) If the quantity of bearings which he wishes to dispose of in any one calendar month had a total cost to him of \$250 or less, he may dispose of them to fill any order placed with him rated AA-5 or higher; or

(v) If the quantity of bearings which he wishes to dispose of in any one calendar month had a total cost to him in excess of \$250 and if they are not being disposed of pursuant to subparagraphs (i-1) (1) (i), (ii), or (iii) above, he must apply to the War Production Board for permission to dispose of the bearings. Application for such permission shall be made by letter addressed to the Bearings Section, Tools Division, War Production Board, stating the quantity and size of the bearings to be disposed of, the person, if any, to whom he wishes to dispose of them, and the purpose for which the bearings will be used by such person.

(2) Nothing contained herein shall release any person listed on Schedule A to War Production Board Directive No. 16, issued August 30, 1943, from complying with the restrictions on the transfer of certain ball bearings as there set forth.

(j) *Changes in schedules.* Notwithstanding any other provision of this order, the War Production Board may direct or change any schedule of production or delivery of anti-friction bearings or component parts thereof, allocate any order for anti-friction bearings or component parts thereof to any other producer of anti-friction bearings or component parts thereof, or direct the delivery of any anti-friction bearings or component parts thereof, to any other person in accordance with prices and terms regularly established for sales by the supplying producer to such a purchaser.

(k) *Applicability of other orders and regulations.* All transactions affected by this order are subject to applicable pro-

visions of the regulations of the War Production Board, as amended from time to time, except to the extent that any provision hereof may be inconsistent therewith, in which case the provisions of this order shall govern.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control, and may be deprived of priorities assistance.

(m) *Reports.* All producers affected by this order shall execute and file with the War Production Board such reports and questionnaires as the War Production Board shall from time to time prescribe.

(n) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(o) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to: War Production Board, Tools Division, Washington 25, D. C. Ref: E-10.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-140; Filed, January 4, 1944;  
11:24 a. m.]

#### PART 3288—PLUMBING AND HEATING EQUIPMENT

[General Limitation Order L-79, as Amended Jan. 4, 1944]

##### METAL PLUMBING AND HEATING EQUIPMENT

§ 3288.31 *General Limitation Order No. L-79—(a) Definitions.* For the purpose of this order:

(1) "Plumbing equipment" means any fixture, material, device or apparatus, including component parts thereof, used as a unit or included in a system designed for the supply of water for drinking or sanitary purposes, for heating or storage of domestic hot water, or for the removal of waste water or water-borne wastes, and the gases therefrom, including water, gas and sewer piping, or designed for the chemical treatment of waste matter. It does not include equipment operated for general use as a public utility, equipment designed for industrial processing, or fire protection systems, or for use in aircraft, railroad vehicles or ships, or equipment using electricity as a fuel.

(2) "Heating equipment" means any material, device or apparatus, including component parts thereof, used as a unit or included in a system designed for generating, conveying, circulating, distributing, transferring, or controlling

heat, and designed for, but not necessarily limited to, heating air spaces or controlling temperature within building or other structures, excluding ships.

It shall not include critical heat exchanges as defined in L-172, fans and blowers as defined in L-280, equipment designed primarily for refrigeration or dehumidification as defined in L-38, steel power boilers of the types defined in L-117, steel boilers designed for locomotive or for marine shipboard use, equipment exterior to a building which is heated by steam or hot water distributed from a central source for general use as a public utility, equipment designed for industrial processing, equipment for generating power, equipment using electricity as a fuel, or equipment designed for heating aircraft or automotive or railroad vehicles, but it shall include trailer and caboose stoves.

It shall not include heating system controls as specified in Schedule A.

(3) "Consumer" means any person who purchases for use but not for resale any material, equipment or parts included in the definitions of "plumbing equipment" and "heating equipment" above.

(b) *Plumbing and heating equipment to be delivered only on rated orders.* On and after September 1, 1943 no person shall deliver or accept delivery of plumbing and heating equipment except on an order rated A-10 or higher.

(c) *Exceptions.* The restrictions of this order shall not apply to the following:

(1) Any unit of non-metallic plumbing equipment or heating equipment including any such unit of non-metallic equipment the construction or assembly of which (into the form as sold by its producer) calls for incorporation of metallic components of the kind needed to permit connection to the unit of water and waste pipes, faucets, valves, fittings, or plumbing trim.

(2) The minimum quantity of metal items or parts needed to install and hold in place any unit of the kind described in subparagraph (c) (1) including, but not limited to, nuts, bolts, screws, clamps, rivets, and other items of joining hardware (excluding chair carriers) provided such use is not prohibited by any other order of the War Production Board. This exception does not include the running of any water, steam, gas, oil or drain pipes to the unit or any metal items or parts needed to connect the unit to an existing piping system.

(3) Any item of plumbing equipment or heating equipment the cost of which to the purchaser is not more than \$5.00.

(4) Plumbing equipment or heating equipment to be incorporated in a project for which the consumer has been given authority to begin construction on Form GA-235 (formerly PD-443). In such a case, the purchaser's order shall contain the following signed statement, listing the items of equipment to be sold or delivered:

The following equipment \_\_\_\_\_ is required for the completion of the erection, construction, remodeling or

rehabilitation of a building, structure or project, or additions, extensions or alterations thereof, which have been specifically authorized by the War Production Board on Form GA-235.

Dated \_\_\_\_\_  
Signed \_\_\_\_\_

This statement shall constitute a representation to the War Production Board and to the person supplying such equipment that the stated facts are true and that the listed equipment will be used for the purpose stated.

(5) Power-driven coal stokers approved on Form WPB 1612 (formerly PD-668).

(6) Oil burners.

(7) Equipment rationed by a certificate issued by a local War Rationing Board.

(8) Plumbing equipment or heating equipment which has previously been used by a consumer.

(9) Steel and wrought iron pipe.

(d) *Applicability of other orders.* Insofar as any other order issued, or to be issued, limits the production, delivery or use of any plumbing equipment or heating equipment to a greater extent than the limits imposed by this order, the restrictions of such other orders shall govern unless otherwise specified therein.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Violations and false statements.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeals.* Any person affected by this order may appeal from its provisions by filing Form WPB 1477 (formerly PD-500) with a field office of the War Production Board.

(i) *Communications.* All reports to be filed and other communications concerning this order, except appeals, shall be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-79.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE A—HEATING SYSTEM CONTROLS

Automatic temperature control equipment used in steam, warm air and hot water heating systems.

Thermostats (indoor and outdoor types).  
Draft and damper regulators.  
Draft adjustors, barometric and mechanical.  
Motor-operated valves (steam and hot water).  
Pressure reducing valves (steam heating system).

Induced and forced draft blowers.

Draft gauges.

Flue gas thermometers.

Thermometers (space heating and domestic hot water type only).

Thermostatic valves, capillary tube and self contained types to control the flow of steam or hot water.

Air vent valves and eliminators.

Thermostatic traps, radiator and drip.

Radiator valves having cast iron bodies only.

Thermostatic valves and checks.

Orifices and other proportioning devices.

Low pressure heating pumps, single only (vacuum, condensation and hot water circulating).

Hot water flow checks and balancing elbows.

Time switches.

Air filters (warm air heating).

Zone (single) temperature control systems. Heating system temperature control panel-boards.

Flue gas analyzers and CO<sub>2</sub> meters.

INTERPRETATION 1

1. Are the following items included in the definitions of plumbing and heating equipment:

Q. Water softeners and filters, water systems, pumps for water systems?

A. Yes. They are part of a system designed for the supply of water. However, other War Production Board orders also affect the sale of this equipment and to the extent to which any other order is more restrictive, the more restrictive order governs.

Q. Sump pumps and cellar drainers?

A. Yes. They are fixtures used as a unit, designed for the removal of waste water. However, this equipment is also affected by other orders of the War Production Board.

Q. Stokers under 60 lbs. per hour?

A. Yes. They are part of a system designed for producing heat.

Q. Bathroom accessories, such as soap dishes, towel racks, tooth brush holders, etc.?

A. No.

Q. Fireplace grates and irons?

A. No. These are not used as unit nor included in a system.

Q. Electric water heaters?

A. No. Equipment using electricity as fuel is specifically exempt from the definition of plumbing equipment. It is subject to Order L-65. However, there are some items used interchangeably as components of electric and non-electric heaters, and these items, when sold separately, are subject to the order.

2. May the following items be sold without preference ratings due to the fact that they are composed of non-metallic materials:

Q. Victory shower stalls complete with trim?

A. No. The trim is not needed to install and hold the fixture in place. However, a non-metallic shower stall less trim may be sold without a rating in accordance with paragraph (c) (1).

Q. China sinks with wooden under-cabinets, less trim?

A. Yes. Since the fixture is completely non-metallic, it may be sold without a rating. However, if the trim is included, a rating is required.

Q. China closet bowl with spud?

A. Yes. The spud, although made of metal is a metallic component of the type defined in paragraph (c) (1) and therefore, no preference rating is required in the sale of this fixture.

Q. A china closet tank complete with fittings?

A. No. The closet tank fittings, such as ball cocks, flush valves, float rods, etc., when incorporated into the fixture by the producer, make the fixture a restricted item which may not be sold without a rating.

3. Paragraph (c) (2) permits the sale without a rating of metal items or parts needed to install units of non-metallic plumbing or heating equipment as described in paragraph (c) (1). Does this mean that plumbing fixture fittings and trim are excepted from the restrictions of the order?

A. No. This exception relates only to items of joining hardware. The fittings and trim are component parts of plumbing equipment and are restricted under paragraph (b).

4. If the manufacturer sells a faucet to a wholesaler for \$4, the wholesaler sells it to the dealer for \$5.05 and the dealer sells it to the consumer for \$6, when is a preference rating required?

A. Delivery of the faucet from the manufacturer to the wholesaler without a rating is permissible under paragraph (c) (3) which permits the sale of an item costing the purchaser not more than \$5. However, since the item costs the dealer and the consumer in excess of \$5, a preference rating is necessary before sale to them can be made.

5. Is it permissible under L-79 to sell without a preference rating a closet combination the total cost of which is \$14, of which the metallic items involved cost less than \$5 each?

A. If the fittings are sold as a complete unit, whether or not the fittings are listed separately on the purchase order, its sale is restricted to an order rated A-10 or better.

6. Is it permissible for one person to sell to another person 12 lavatory faucets, 12 P. O. plugs and 12 laundry tray faucets without a rating provided that each of the items listed costs the purchaser no more than \$5?

A. Yes. Since each of these items costs the purchaser less than \$5, there is no requirement that a preference rating be obtained before making the sale.

7. Is it permissible under paragraph (b) to return merchandise to the factory without restrictions?

A. Yes, if the transaction is in effect a cancellation of the original purchase order.

8. Are plumbing and heating materials for export restricted by the order?

A. Yes. The order restricts all sales and deliveries of plumbing and heating equipment except on an order rated A-10 or higher unless the materials are listed in one of the exceptions in paragraph (c).

9. Paragraph (c) (7) exempts from the preference rating requirement equipment rationed by the Office of Price Administration. What items included in the definitions of L-79 are being rationed by OPA?

A. The equipment listed below is now being rationed by OPA:

Coal and wood heating stoves.

Oil heating stoves (including those using kerosene or gasoline as a fuel).

Gas heating stoves and heaters.

Coal and wood cooking stoves and ranges. Oil cooking stoves and ranges (including those using kerosene or gasoline as a fuel).

Gas cooking stoves and ranges.

Combination ranges (except those using electricity as one of the fuels).

Bungalow ranges (except those using electricity as one of the fuels).

Coal or wood laundry stoves (except those having a built-in water jacket or coils).

Conversion burners (to convert coal or wood ranges to use of kerosene or oil).

Kitchen heater ranges.

Oil table stoves.

This list is subject to change. In the future, authoritative information should be obtained by consulting OPA Ration Regulation 9A or a local War Ration Board. (Issued Sept. 25, 1943.).

[F. R. Doc. 44-136; Filed, January 4, 1944; 11:23 a. m.]

**PART 3291—CONSUMERS DURABLE GOODS<sup>1</sup>**  
[Limitation Order L-72, Revocation]

**RAZORS AND RAZOR BLADES**

Section 3291.255 *Limitation Order L-72* is revoked. This revocation does not affect any liabilities accrued under the order. The manufacture and delivery of straight razors, safety razors and safety razor blades remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-134; Filed, January 4, 1944; 11:23 a. m.]

**PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT<sup>2</sup>**

[Limitation Order L-1-e, as Amended January 4, 1944]

**MOTOR TRUCKS AND TRUCK TRAILERS**

Section 3292.1<sup>1</sup> *Limitation Order L-1-e* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States having created a shortage in the supply of rubber, steel and other materials entering into the production of trucks, trailers, and passenger carriers for defense, for private account and for export, the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3292.1 *Limitation Order L-1-e*—(a) **Definitions.** For the purposes of this order.

(1) "Motor truck" means a complete motor vehicle, or the chassis thereof, designed for operating entirely or in part on rubber tires for use either on or off the public highways in the military or commercial transportation of materials or persons, but does not include motorized fire equipment as defined in Limitation Order L-43 or passenger carriers as defined in Limitation Order L-101.

(2) "Truck-trailer" means a complete full trailer or semi-trailer, or the chassis thereof, designed for the transportation of materials or persons and to be drawn by a motor truck, but does not include integral trailer buses as defined in Limitation Order L-101.

(3) "Component" means any automotive type assembly, with the parts thereof, listed on Schedule A to this order as amended from time to time, whether to be incorporated into trucks, truck-trailers or other end products and includes military spares.

(4) "Producer" means any individual, partnership, association, corporation or other form of business enterprise engaged in the manufacture of motor trucks or trailers.

(5) "Supplier" means any individual, partnership, association, corporation or other form of business enterprise en-

gaged in the manufacture of components.

(b) *Prohibition of production of motor trucks and trailers.* On and after January 1, 1944, no producer shall produce any motor trucks or truck-trailers either for military or non-military use, except as authorized in writing by the War Production Board.

(c) *Production to be scheduled.* The War Production Board will transmit to each producer an authorized motor vehicle production schedule on Form GA 1188, which schedule becomes a "frozen" schedule under Priorities Regulation 18. The producer must schedule his production and make his shipments so as to fill the frozen schedule without regard to preference ratings or directions of any governmental agency, other than the War Production Board. The War Production Board will as necessity arises issue specific directions to suppliers, directing the production of any component on Schedule A, both for original equipment and for replacement parts for civilian use, and establishing production and shipping schedules which will become frozen schedules under Priorities Regulation 18. *Provided*, That whenever any such specific direction is received by a supplier which would interfere with the production or shipment of previously accepted orders bearing AA-1 or higher preference ratings, or with a frozen schedule under Priorities Regulation No. 18, the supplier shall immediately notify the Automotive Division, War Production Board, in writing, and the specific direction shall not become effective pending instructions from the War Production Board. Any frozen schedule may be amended by the War Production Board in accordance with Priorities Regulation 18 or paragraph (g) of this order.

(d) *Protection of frozen schedules.* On and after January 4, 1944, except as permitted by the provisions of paragraph (b) of Priorities Regulation 18, no producer or supplier shall accept an order for any product the production of which will delay or interfere with his frozen schedule under this order.

(e) *No duplication of orders.* No producer or supplier shall place any order with one or more suppliers for a total quantity of any component on Schedule A in excess of his actual requirements of that component to fill his own production schedule.

(f) *Schedules to be filed when directed.* If no production schedule is supplied by the War Production Board as provided for in paragraph (c) above, producers when so directed by the War Production Board shall file schedules for the production and shipment of trucks and truck-trailers; and suppliers of components on Schedule A when so directed by the War Production Board shall file schedules for the production and shipment of such components, both for original equipment and for replacement parts for civilian use. In arranging the sequence of production and shipment on his schedule, the producer and the supplier shall be governed by Priorities Regulation 1, unless otherwise instructed. When the schedule has been filed it becomes a fro-

<sup>1</sup> Formerly Part 1143, § 1143.1.

<sup>2</sup> Formerly Part 976, § 976.15.

en schedule under Priorities Regulation 18 and the producer or supplier shall schedule his production and make his shipments so as to fill the frozen schedule without regard to preference ratings or directions of any governmental agency except the War Production Board.

(g) *Other scheduling provisions.* With respect to production or shipping of motor trucks, truck-trailers or components on Schedule A, both for original equipment and for replacement parts for civilian use, the War Production Board may, notwithstanding any other order, preference rating, directive, rule or regulation (except Priorities Regulation 18) of the War Production Board, or other governmental agency:

(1) Revoke or modify any authorization provided for in paragraph (b) of this order.

(2) Direct the return or cancellation of any purchase order on the books of a producer or supplier.

(3) Direct changes in the production or shipping schedule of a producer or supplier.

(4) Cancel purchase orders placed with one producer or supplier and direct that they be placed with another producer or supplier.

(h) *Preference rating of AA-1 assigned.* Producers of motor trucks and truck trailers and suppliers of components on Schedule A produced on frozen schedules under the terms of this order, are assigned a rating of AA-1 for materials entering into the production of motor trucks, truck-trailers and components on Schedule A.

(i) *Vehicles for civilian use to be subject to Conservation Order M-100.* All trucks and truck-trailers produced under the terms of this Order, except those produced on orders for the United States Army or Navy, will be subject to the rationing procedures of Conservation Order M-100.

(j) *Reports.* Producers of trucks and trailers and suppliers of components on Schedule A shall file such reports as may be required from time to time by the War Production Board.

(k) *Applicability of War Production Board Regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time except where otherwise stated.

(l) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate with the Field Office of the War Production Board nearest the appellant's place of business, referring to the particular provision appealed from and stating fully the grounds for appeal.

(n) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., Ref.: Order L-1-E.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

SCHEDULE A

The following items, with the parts thereof, are the automotive type components referred to in paragraph (a) (3) of this order:

Axes	Clutches
Rims	Transmissions
Brakes	Propeller shafts
Transfer cases	Wheels

[F. R. Doc. 44-182: Filed, January 4, 1944;  
11:23 a. m.]

PART 1161—OIL BURNERS

[Limitation Order L-74, as Amended Jan. 4, 1944]

§ 1161.1 *General Limitation Order L-74—(a) Definitions.* For the purpose of this order:

(1) "Oil burner" means any devise which is designed for burning fuel oil for furnishing heat. It includes, but is not limited to the following types:

- (i) Mechanical, steam or air atomizer oil burner.
- (ii) Vertical or horizontal rotary oil burner.
- (iii) Mechanical vaporizing oil burner.
- (iv) Pot type vaporizing oil burner.

It shall include any oil burner for any boiler burner unit or for any furnace burner unit, any oil burner used as part of any water heater and any combination oil and gas burner, but does not include any oil burner used as a part of any domestic cooking appliance or of any domestic heating stove as defined in L-23-c, or any oil burner used in connection with any locomotive scheduled under L-97, or any oil burner used as a part of any commercial cooking and food and plate warming equipment as defined in L-182.

(2) "Class A oil burner" means any oil burner which is designed by the producer or approved by the Underwriters Laboratory to burn No. 5, No. 6 or heavier fuel oil, or which regardless of what grade fuel oil it burns, is designed or manufactured specifically for shipboard use or for heat processing.

(3) "Class B oil burner" means any oil burner which is designed by the producer or approved by the Underwriters Laboratory to burn No. 1 (except a Class C oil burner), No. 2, No. 3, or No. 4 fuel oil, but does not include any oil burner designed or manufactured specifically for shipboard use or for heat processing.

(4) "Class C oil burner" means any pot type vaporizing oil burner which is designed by the producer or approved by the Underwriters Laboratory to burn No. 1 fuel oil, but does not include any oil burner designed or manufactured specifically for shipboard use or for heat processing.

(5) "Fuel oil" means any liquid petroleum product commonly known as fuel oil, including Numbers 1, 2, 3, 4, 5, and 6, bunker C, diesel oil, kerosene, range oil, gas oil, or any other liquid petroleum product used for the same purposes as the above designated grades.

(6) "Replacement" means replacement of any oil burner by another oil burner.

(7) "New installation" includes an oil burner installed in a new heating plant or an oil burner installed as a conversion from any other fuel.

(8) "Producer" means any person who manufactures, fabricates or assembles oil burners.

(b) *Restrictions on producers of Class B oil burners.* No producer shall manufacture or assemble a Class B oil burner or deliver such a burner either assembled or in sets of parts except to fill an order already received, which has been approved on Form WPB-2727. He may produce or assemble such burners only to the extent necessary to fill orders on hand which he cannot fill from his inventory of completely assembled burners. Any person who wants to buy a Class B oil burner from a producer should file Form WPB-2727 in triplicate with the War Production Board, Plumbing and Heating Division, Washington 25, D. C.

(c) *Restrictions on delivery of Class B oil burners for installation; restrictions on installation.* No dealer or distributor may deliver a Class B oil burner for installation, either assembled or in sets of parts, and no person may install a Class B oil burner, except as follows:

(1) *Replacement.* A dealer may deliver any Class B oil burner from his stock for installation as a replacement, and the installation may be made, if the owner of the premises has applied for and obtained the approval of the appropriate War Production Board District office on Form WPB 1319. The dealer may deliver and the installation may be made without advanced approval from any source, if the burner to be replaced is over ten years old, or has actually broken down and is beyond repair during the season in which it is in use. No installation may be made for replacement unless the installer arranges to have the old burner scrapped or dismantled, but this requirement does not mean that the installer is entitled to take the old burner without the owner's consent or without crediting him with its value.

(2) *New installations.* Any person may deliver a Class B burner from a dealer's inventory for a new installation if the Petroleum Administration for War has specifically approved in writing the delivery of fuel oil for a Class B oil burner.

on the premises in question.<sup>1</sup> The authorization of a local War Price and Rationing Board to accept delivery of fuel oil will not be sufficient.

(3) *Food processing installations.* Any person may deliver a Class B burner from a dealer's inventory for use in raising and preparing crops, poultry, livestock and other agricultural products for market.

(4) *Burners assembled in other products.* If the War Production Board has approved the delivery of a Class B oil burner on Form WPB-2727 for physical incorporation in or assembly with another product, such as a water heater, further authority is not required for delivery of the other product, but the restrictions of L-79 (prohibiting delivery except to fill a rated order) must be complied with.

(5) *Sales to dealers.* Any dealer or distributor may sell or deliver any Class B oil burner to another dealer or distributor for resale.

(6) *Oversea shipment.* Any person may deliver a Class B burner to fill a rated order for shipment to a foreign country or a territory or overseas possession of the United States.

(d) *Restrictions on sale of Class A and Class C oil burners.* On and after January 4, 1944, Class A and Class C oil burners may be delivered only on orders bearing a preference rating of AA-5 or higher. In case of a new installation in the continental United States, application for preference rating must be accompanied by copy of authorization from the Petroleum Administration for War.<sup>2</sup>

(e) *General exception.* Regardless of the terms of this order, any Class B oil burner (as defined by this order as in force prior to June 28, 1943) authorized under an appeal from L-74 as in force prior to June 28, 1943, may be manufactured, fabricated, assembled and delivered.

NOTE: Paragraphs (f), (g) and (h), formerly (h), (1) and (j), redesignated Jan. 4, 1944.

(f) *Appeals.* Any appeals from the provisions of this order shall be filed on Form WPB-1477, formerly PD-500, with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(g) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington, D. C., Ref: L-74.

(h) *Violations.* Any person who wilfully violates any provision of this order

<sup>1</sup> Under PDO-13, as amended or supplemented from time to time. At present applications to the P. A. W. for approval are made by letter, which must be submitted in quadruplicate.

<sup>2</sup> Under PDO-13, as amended or supplemented from time to time.

der, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Bureau of the Budget.* The Bureau of the Budget has approved the use of Forms WPB-1319 and WPB-2727, and other reporting requirements of this order, in accordance with the Federal Reports Act of 1942.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-135: Filed, January 4, 1944;  
11:23 a. m.]

## Chapter XI—Office of Price Administration

### PART 1335—CHEMICALS

[RPS 31, Amdt. 4]

#### ACETIC ACID

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1335.210 (a) (1) is amended by changing the period at the end to a comma and adding a clause to read as follows: "except that such maximum price shall be \$7.18 per hundred pounds, f. o. b. works, in tank cars where the acetic acid is produced in California from fermentation ethyl alcohol."

This amendment shall become effective January 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-116: Filed, January 3, 1944;  
4:49 p. m.]

### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 336,<sup>1</sup> Amdt. 10]

#### RETAIL CEILING PRICES FOR PORK CUTS AND CERTAIN SAUSAGE PRODUCTS

The statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith, and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 336 is amended in the following respects:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 2855, 4253, 5317, 5634, 6212, 7682, 8944, 9366, 12480, 13181, 15670.

1. The title of Maximum Price Regulation No. 336 is amended to read: "Retail Ceiling Prices for Pork Cuts and Certain Sausage Products" as set forth above.

2. Section 1364.1001 is amended to read as follows:

§ 1364.1001 *Maximum prices for fresh and processed pork cuts and certain sausage products at retail.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 336 (Retail Ceiling Prices for Pork Cuts and Certain Sausage Products) which is annexed hereto and made a part hereof, is hereby issued.

3. Article I of the table of contents appearing at the beginning of the regulation is amended to read as follows:

Sec.

1. What this regulation does.
2. Your ceiling prices.
3. When the new ceiling prices take effect.
4. What pork products and sausage products you may sell.
5. Sales to eating places.
6. Post your ceiling prices.
- 6a. Descriptive labeling requirements.
7. Records, sales slips and receipts.
8. Licensing.
9. Indirect price increases.
10. Prohibitions.

4. Article III of the table of contents appearing at the beginning of the regulation is amended to read as follows:

17. Description of zones for pork cuts.
- 17a. Description of zones for sausage products.
18. Map of zones.
19. OPA list of retail ceiling prices for pork cuts.
20. OPA list of retail ceiling prices for sausage products covered by Maximum Price Regulation No. 336.

5. Section 1 is amended to read as follows:

SECTION 1. *What this regulation does.* This regulation fixes dollar-and-cents ceiling prices on all retail sales of fresh and processed pork cuts, and on all retail sales of the following sausage products: fresh and smoked pork sausage and breakfast sausage, frankfurters, bologna, Lebanon bologna, all beef knockwurst and all beef salami, loaves, Braunschweiger, fresh and smoked liver sausage, liver cheese, liver pudding, New England, minced luncheon, Berliner or Berlin, and Polish sausage. The United States is divided into zones by this regulation and different ceiling prices are fixed for sales made in each zone and for sales made by different groups of retail stores. Your ceiling prices depend on the zone where your store is and its group and on the type and casing, wrapper or container of the sausage product you are selling. A store includes any place where pork cuts or sausage products subject to this regulation are sold at retail.

6. Section 2 (a) is amended to read as follows:

(a) You will find your ceiling prices for pork cuts on your "OPA list of retail ceiling prices for pork cuts" (Article III, section 19) and for sausage products subject to this regulation on your "OPA list of retail ceiling prices for sausage prod-

ucts covered by Maximum Price Regulation No. 336" (Article III, section 20). A copy of these lists for your zone and group will be attached to this regulation. A complete price list showing prices for both pork cuts and sausage products may be obtained from your local war price and rationing board or from your district office. (If you are a "Group 3 and 4" store, you should obtain your copy of the complete price list from your regional OPA office.)

7. Section 3 (b) is amended to read as follows:

(b) *Sausage products.* (1) On September 8, 1943, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of the following sausage products: fresh and smoked pork sausage and breakfast sausage, frankfurters, bologna other than Lebanon, all beef knackwurst and all beef salami. On and after September 8, 1943, you must not sell any such sausage product at a price higher than the ceiling price fixed by this regulation.

(2) On January 8, 1944, the dollar-and-cents ceiling prices fixed by this regulation take the place of all previous ceiling prices fixed by the Office of Price Administration upon retail sales of the following sausage products: Lebanon bologna, loaves, Braunschweiger, fresh and smoked liver sausage, liver cheese, liver pudding, New England, minced luncheon, Berliner or Berlin and Polish sausage. On and after January 8, 1944, you must not sell any such sausage product at a price higher than the ceiling price fixed by this regulation.

8. Section 4 is amended to read as follows:

SEC. 4. *What pork products and sausage products you may sell.* (a) On and after January 8, 1944, the only pork products and sausage products you may sell are (1) those fresh, frozen or processed pork cuts which are given dollar-and-cents ceiling prices under this regulation; (2) the following sausage products which are given dollar-and-cents ceiling prices under this regulation: fresh and smoked pork sausage and breakfast sausage, frankfurters, bologna, Lebanon bologna, all beef knackwurst and all beef salami, loaves, Braunschweiger, fresh and smoked liver sausage, liver cheese, liver pudding, New England, minced luncheon, Berliner or Berlin and Polish sausage; (3) canned pork products for which your ceiling prices are fixed by Maximum Price Regulation No. 422 or Maximum Price Regulation No. 423; (4) pork variety meats or offal (including cutlets, brains, chitterlings, liver, kidneys, tongues, lips, snouts, ears, hearts, cheek and head meat, weasand meat and heads) for which your ceiling prices are fixed by Maximum Price Regulation No. 355; and (5) the following pork and sausage products for which your ceiling prices are to remain as fixed under the General Maximum Price Regulation: uncanned sausage products (described in section 1 (b) (1) of Maximum Price Regulation No. 389 (Ceiling Prices for Certain Sausage Items at Wholesale)) not covered by Maximum Price Regulation

No. 336 and quick-frozen cuts which are sold and delivered to you in the individual packages in which you sell them.

(b) The pork cuts listed in the OPA list of retail ceiling prices for pork cuts are defined in Revised Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts. If the Office of Price Administration allows any person to make a different cut, you will receive notice when you buy that cut of the ceiling price you may charge for it at retail.

(c) The sausage products listed in the OPA list of retail ceiling prices for sausage products covered by Maximum Price Regulation No. 336 are defined in Maximum Price Regulation No. 389—Ceiling Prices for Certain Sausage Items at Wholesale.

Any sausage made by you other than the sausage described in section 1 (b) of Maximum Price Regulation No. 389 must meet the requirements for one of the kinds and types of sausage for which prices are established by this Maximum Price Regulation No. 336. Any such sausage made by you must also comply with the labeling requirements of section 4 of Maximum Price Regulation No. 389.

9. Section 5 is amended to read as follows:

SEC. 5. *Sales to eating places.* Your ceiling prices for sales of pork cuts and sausage products covered by this regulation to hotels, restaurants, institutions and other eating places selling or furnishing meals are the ceiling prices fixed by Revised Maximum Price Regulation No. 148 for pork cuts and by Maximum Price Regulation No. 389 for sausage products. Nevertheless, you may, during any month, use the ceiling prices fixed by this regulation in selling to eating places if 80 percent or more of your total dollar sales of meat during the previous calendar month were retail sales to consumers, that is, to persons who buy the pork cuts or sausage products to be eaten by themselves or their families off of your premises.

10. Section 6 is amended to read as follows:

SEC. 6. *Post your ceiling prices.* Not later than June 21, 1943, you must post at your store your official OPA list of retail meat prices, showing ceiling prices for pork cuts and sausage products. You may use an exact copy of the OPA list as long as the printing is just as legible and at least as large. Put it on or at the counter of the meat department in your store in one or more places where your customers can easily see and read it. You must have at least one list posted for each 20 feet of meat counter space. You must get your official copies of the price lists for posting or copying from your war price and rationing board or from your district OPA office. You may, if you wish, underline on the lists you post, those pork cuts and sausage products which you carry. If you display any pork cut or sausage product, as in your show case, you must post on it your selling price for that cut or product.

11. The headnote of section 6a is amended to read "Descriptive labeling requirements."

12. Section 6a (a) is amended to read as follows:

(a) On and after November 1, 1943, fresh and smoked pork sausage and breakfast sausage, frankfurters, bologna, knackwurst, including all beef sausage other than Lebanon bologna, must bear a descriptive label in accordance with the provisions of this section. On and after February 26, 1944, Lebanon bologna, loaves, Braunschweiger, smoked and fresh liver sausage, liver cheese, liver pudding, New England, minced luncheon, Berliner or Berlin and Polish sausage must bear a descriptive label in accordance with the provisions of this section. A label satisfying the requirements of this section shall appear on each one and one-half pounds of frankfurters and pork or breakfast sausage stuffed in sheep or hog casings, and once on each piece of other sausage product stuffed in casings or packed in wrappers, including but not limited to pork sausage and breakfast sausage (other than that stuffed in sheep or hog casings), bologna, loaves, all beef sausage, New England, Berliner or Berlin, liver sausage and Polish sausage. The label may be a band or tag securely affixed to the sausage product or printed or stamped upon the outside of the casing or wrapper. A similar label also shall be stamped or printed upon the outside of the carton or other immediate container in which the sausage product is placed. Enamel display cases or trays are not immediate containers.

You may not have in your store refrigerator or cooler any sausage product subject to this regulation which has not been properly labeled, except fresh or smoked pork sausage and breakfast sausage, frankfurters, bologna or knackwurst, including all beef sausage other than Lebanon bologna, bought from a seller who has received from the Office of Price Administration written authorization, pursuant to section 4 (b) (4) (i) of Maximum Price Regulation No. 389, to sell such sausage products unlabeled, which authorization in no event may extend beyond December 31, 1943.

13. Section 6a (b) (1) is amended to read as follows:

(1) The name of the kind of sausage product as used in Maximum Price Regulation No. 389 (Ceiling Prices for Certain Sausage Items at Wholesale) and in addition, if the seller desires, a trade name, provided it does not include the name of some other kind of sausage product priced under this regulation.

14. Section 6a (b) (3) is amended to read as follows:

(3) Whatever of the following letters or words are appropriate to show the kind of casing used: H. C. for hog casing; S. C. for sheep casing; B. C. for beef casing; A. C. for artificial casing, except that no such designation is required for an artificial casing on which is printed the casing manufacturer's name or trade-mark; skinless, where artificial casings have been removed by the manufacturer. Where the same price applies to the sausage product in each kind of natural casing, the letters N. C., indicating natural casing, may be used. The label need not contain a designation of

the kind of casing used where the same price applies to the sausage product no matter what kind of casing, carton or wrapper is used.

15. Sections 6a (c) and (e) are hereby revoked and section 6a (d) is redesignated section 6a (c).

16. Redesignated section 6a (c) is amended to read as follows:

(c) The label must be left on the sausage product which you buy. Different types of the same kind of sausage product must not be put together in the show case. Sausage products which are alike, except for the kind of casing, container or wrapper used which affects the price, must not be put together in the show case.

17. Section 7 is amended to read as follows:

**SEC. 7. Records, sales slips and receipts.** After June 21, 1943, you shall keep the same kind of records you have customarily kept, showing the prices you charge for pork cuts and sausage products. You shall show the records to any representative of the Office of Price Administration upon request. If you have customarily given a customer a sales slip, receipt or similar evidence of purchase, you shall continue to do so. Furthermore, regardless of your previous custom, you shall, upon request by any customer, give a receipt showing the date, your name and address, the name and weight of each pork cut sold, the name, type, weight, and casing, container or wrapper identification of each sausage product sold, and the price you received for the pork cut or sausage product.

18. Section 9 is amended to read as follows:

**SEC. 9. Indirect price increases.** The price limitations set forth in this regulation shall not be evaded directly or indirectly by you; and you shall not require the purchaser to buy at any price other food products as a condition of selling pork cuts or sausage products.

19. Section 10 is amended to read as follows:

**SEC. 10. Prohibitions.** On and after April 1, 1943, the date this regulation takes effect, if you sell or deliver any pork cut or sausage product at a higher price than your ceiling price, or if you otherwise violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended. Also, any person, who in the course of trade or business buys from you at a price higher than your ceiling price, is subject to the criminal penalties and civil enforcement actions provided for by that act.

20. The headnote of section 17 is amended to read "Description of zones for pork cuts."

21. The headnote and first paragraph of section 17a are amended to read as follows:

**SEC. 17a. Description of zones for sausage products.** The zones for the sausage products covered by this regulation are the same as those for pork cuts except for the following zones which take the place

of "Zones 8 and 9 South" and "Zones 8 and 9 North."

22. Section 20 is amended to read as follows:

**SEC. 20. OPA list of retail ceiling prices for sausage products covered by Maximum Price Regulation No. 336.**

Item	GROUP 1 AND 2 STORES										Zone 10
	[Price per pound]	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8 North and South	
1. Berliner or Berlin:											
1. Natural casings (N. C.)	\$0.38	\$0.36	\$0.36	\$0.36	\$0.35	\$0.36	\$0.36	\$0.36	\$0.36	\$0.37	\$0.37
2. Artificial casings (A. C.)	.37	.36	.35	.35	.34	.35	.35	.35	.36	.36	.37
2A. Bologna, natural casings (N. C.):											
1. Lebanon	.48	.47	.46	.46	.46	.46	.47	.47	.48	.49	.48
2. All beef	.44	.42	.40	.40	.39	.39	.39	.40	.40	.40	.41
3. Type 1	.37	.35	.35	.35	.34	.35	.35	.35	.36	.36	.36
4. Type 2	.37	.35	.35	.35	.34	.35	.35	.35	.36	.36	.36
5. Type 3	.32	.31	.31	.30	.30	.30	.31	.31	.31	.32	.32
6. Type 4	.28	.26	.26	.26	.25	.26	.26	.26	.27	.27	.27
2B. Bologna, artificial casings (A. C.):											
1. Lebanon	.48	.46	.45	.45	.45	.46	.46	.46	.47	.48	.48
2. All beef	.43	.41	.39	.39	.38	.38	.38	.39	.39	.39	.40
3. Type 1	.36	.34	.34	.33	.33	.33	.34	.34	.35	.35	.35
4. Type 2	.36	.34	.34	.33	.33	.33	.34	.34	.35	.35	.35
5. Type 3	.31	.30	.30	.29	.29	.29	.30	.30	.30	.31	.31
6. Type 4	.27	.25	.25	.25	.24	.25	.25	.25	.26	.26	.26
3. Braunschweiger:											
1. Sewed hog bungs (H. C.)	.42	.41	.40	.40	.39	.40	.40	.41	.41	.41	.42
2. Other hog casings (H. C.)	.40	.38	.38	.38	.37	.38	.38	.38	.39	.39	.40
3. Artificial casings (A. C.):	.36	.34	.34	.34	.33	.34	.34	.34	.35	.35	.36
4A. Frankfurters, sheep casings (S. C.):											
1. All beef	.51	.49	.48	.47	.46	.46	.46	.47	.47	.48	.48
2. Type 1	.44	.42	.42	.42	.41	.42	.42	.42	.43	.43	.43
3. Type 2	.44	.42	.42	.42	.41	.42	.42	.42	.43	.43	.43
4. Type 3	.39	.38	.38	.37	.37	.37	.38	.38	.39	.39	.39
5. Type 4	.35	.33	.33	.33	.32	.33	.33	.33	.34	.34	.35
4B. Frankfurters, hog casings (H. C.), artificial casings (A. C.) or skinless:											
1. All beef	.46	.45	.43	.42	.41	.41	.41	.42	.42	.43	.43
2. Type 1	.39	.38	.38	.37	.37	.37	.38	.38	.39	.39	.39
3. Type 2	.39	.38	.38	.37	.37	.37	.38	.38	.38	.39	.39
4. Type 3	.35	.34	.33	.33	.32	.33	.33	.33	.34	.35	.35
5. Type 4	.31	.29	.29	.29	.28	.29	.29	.29	.30	.30	.30
5A. Knackwurst, natural casings (N. C.):											
1. All beef	.44	.42	.40	.40	.39	.39	.39	.40	.40	.40	.41
5B. Knackwurst, artificial casings (A. C.):											
1. All beef	.43	.41	.39	.39	.38	.38	.38	.39	.39	.39	.40
6A. Liver sausage, fresh:											
1. Hog bungs (H. C.)	.36	.35	.34	.34	.33	.34	.34	.35	.35	.36	.36
2. Beef casings (B. C.)	.34	.33	.32	.32	.31	.32	.32	.33	.33	.33	.34
3. Artificial casings (A. C.)	.33	.32	.32	.31	.30	.31	.32	.32	.32	.33	.33
6B. Liver sausage, smoked:											
1. Sewed hog bungs (H. C.)	.42	.40	.40	.40	.39	.40	.40	.40	.41	.41	.41
2. Other hog bungs (H. C.)	.40	.38	.38	.37	.36	.37	.38	.38	.39	.39	.39
3. Artificial casings (A. C.)	.36	.35	.34	.34	.33	.34	.34	.35	.35	.36	.36
7. Liver cheese:											
1. Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper	.44	.43	.42	.42	.41	.42	.42	.43	.43	.44	
8. Liver loaf:											
1. Artificial casings (A. C.), natural casings (N. C.), cardboard cartons or sealed packages of moisture resistant paper	.35	.34	.33	.33	.32	.33	.33	.34	.34	.35	
9. Liver pudding:											
1. Beef casings (B. C.)	.30	.28	.28	.28	.27	.28	.28	.28	.29	.29	.29
2. Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper	.29	.28	.27	.27	.26	.27	.27	.28	.28	.28	.29
10. Loaves, artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper:											
1. Type 1	.65	.64	.64	.63	.62	.62	.62	.63	.63	.64	.64
2. Type 2	.50	.48	.48	.48	.47	.48	.48	.48	.49	.49	.50
3. Type 3	.36	.34	.34	.34	.33	.34	.34	.34	.35	.35	.36
4. Type 4	.31	.29	.29	.28	.28	.28	.29	.29	.30	.30	.30
11. Minced luncheon:											
1. Natural casings (N. C.)	.40	.38	.38	.38	.37	.38	.38	.38	.39	.39	.40
2. Artificial casings (A. C.)	.39	.38	.37	.37	.36	.37	.37	.38	.38	.38	.39
12. New England:											
1. Natural casings (N. C.)	.59	.57	.57	.57	.56	.57	.57	.57	.58	.58	.58
2. Artificial casings (A. C.)	.58	.57	.56	.56	.55	.56	.56	.57	.57	.57	.58
13. Polish sausage, hog casings (H. C.) or skinless:											
1. Type 1	.59	.57	.57	.57	.56	.57	.57	.57	.58	.58	.59
2. Type 2	.48	.46	.46	.46	.45	.46	.46	.46	.47	.47	.48
3. Type 3	.38	.36	.36	.36	.35	.36	.36	.36	.37	.37	.38

## FEDERAL REGISTER, Wednesday, January 5, 1944

## GROUP 1 AND 2 STORES—Continued

[Price per pound]

Item	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8 North and South	Zone 9 North and South	Zone 10
14A. Pork or breakfast sausage, fresh, sheep casings (S. C.):											
1. Type 1	\$0.64	\$0.61	\$0.59	\$0.54	\$0.54	\$0.53	\$0.56	\$0.54	\$0.56	\$0.56	\$0.59
2. Type 2	.50	.49	.49	.48	.47	.47	.48	.48	.48	.49	.49
3. Type 3	.43	.42	.41	.41	.40	.40	.40	.41	.41	.41	.42
4. Type 4	.36	.34	.34	.33	.32	.32	.33	.33	.33	.34	.34
14B. Pork or breakfast sausage, fresh, hog casings (H. C.):											
1. Type 2	.46	.45	.44	.44	.43	.43	.43	.44	.44	.44	.45
2. Type 3	.39	.37	.37	.36	.35	.36	.36	.36	.37	.37	.37
3. Type 4	.31	.30	.30	.29	.28	.28	.29	.29	.29	.30	.30
14C. Pork or breakfast sausage, fresh, artificial casings (A. C.) or sealed heavy cardboard waxed cups, 1 lb. each or less:											
1. Type 2	.44	.43	.42	.42	.41	.41	.41	.42	.42	.42	.43
2. Type 3	.37	.35	.35	.34	.33	.34	.34	.34	.35	.35	.35
3. Type 4	.29	.28	.27	.27	.26	.26	.26	.27	.27	.27	.28
14D. Pork or breakfast sausage, fresh, cardboard cartons or sealed packages of moisture resistant paper, 1 lb. each or less:											
1. Type 2	.43	.41	.41	.40	.39	.39	.40	.40	.41	.41	.41
2. Type 3	.35	.33	.33	.32	.31	.32	.32	.32	.33	.33	.33
3. Type 4	.25	.24	.23	.23	.22	.22	.22	.23	.23	.23	.24
14E. Pork or breakfast sausage, fresh, bulk:											
1. Type 1	.55	.52	.49	.45	.45	.44	.47	.45	.47	.47	.49
2. Type 2	.41	.40	.39	.39	.38	.38	.38	.39	.39	.39	.40
3. Type 3	.33	.32	.32	.31	.30	.30	.31	.31	.31	.32	.32
4. Type 4	.24	.23	.23	.22	.21	.21	.22	.22	.22	.23	.23
15. Pork or breakfast sausage, smoked, hog casings (H. C.), artificial casings (A. C.) or skinless:											
1. Type 2	.51	.49	.49	.49	.48	.49	.49	.49	.50	.50	.50
2. Type 3	.47	.45	.45	.45	.44	.45	.45	.45	.46	.46	.47
3. Type 4	.36	.34	.34	.33	.33	.33	.34	.34	.35	.35	.35
16A. Salami, soft, artificial casings (A. C.):											
1. All beef	.49	.48	.47	.46	.46	.46	.46	.46	.47	.47	.48
16B. Salami, medium or hard, artificial casings (A. C.) (Sold weight shall not exceed 80% of the purchased weight):											
1. All beef	.69	.68	.67	.66	.66	.66	.66	.66	.67	.67	.68

## GROUP 3 AND 4 STORES

[Price per pound]

Item	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8 North and South	Zone 9 North and South	Zone 10
1. Berliner or Berlin:											
1. Natural casings (N. C.)	\$0.36	\$0.34	\$0.34	\$0.34	\$0.33	\$0.34	\$0.34	\$0.34	\$0.35	\$0.35	\$0.35
2. Artificial casings (A. C.)	.35	.34	.33	.33	.32	.33	.33	.34	.34	.34	.35
2A. Bologna, natural casings (N. C.):											
1. Lebanon	.46	.45	.44	.44	.44	.44	.45	.45	.45	.47	.46
2. All beef	.42	.41	.39	.39	.38	.38	.38	.38	.39	.39	.39
3. Type 1	.35	.33	.33	.33	.32	.33	.33	.33	.34	.34	.34
4. Type 2	.35	.33	.33	.33	.32	.33	.33	.33	.34	.34	.34
5. Type 3	.31	.29	.29	.29	.28	.29	.29	.29	.30	.30	.30
6. Type 4	.26	.25	.24	.24	.23	.24	.24	.25	.25	.26	.26
2B. Bologna, artificial casings (A. C.):											
1. Lebanon	.45	.44	.43	.43	.43	.44	.44	.44	.45	.46	.45
2. All beef	.41	.40	.38	.38	.37	.37	.37	.37	.38	.38	.38
3. Type 1	.34	.32	.32	.32	.31	.32	.32	.32	.33	.33	.33
4. Type 2	.34	.32	.32	.32	.31	.32	.32	.32	.33	.33	.33
5. Type 3	.30	.28	.28	.28	.27	.28	.28	.28	.29	.29	.29
6. Type 4	.25	.24	.23	.23	.22	.23	.23	.24	.24	.24	.25
3. Braunschweiger:											
1. Sewed hog bungs (H. C.)	.40	.38	.38	.37	.38	.38	.38	.38	.39	.39	.40
2. Other hog casings (H. C.)	.38	.36	.36	.36	.35	.36	.36	.36	.37	.37	.37
3. Artificial casings (A. C.):	.34	.33	.32	.32	.31	.32	.32	.32	.33	.33	.34
4A. Frankfurters, sheep casings (S. C.):											
1. All beef	.49	.48	.46	.46	.44	.44	.45	.45	.46	.46	.46
2. Type 1	.41	.40	.40	.39	.39	.39	.40	.40	.40	.41	.41
3. Type 2	.41	.40	.40	.39	.39	.39	.40	.40	.40	.41	.41
4. Type 3	.37	.36	.36	.35	.35	.35	.36	.36	.36	.37	.37
5. Type 4	.33	.32	.31	.31	.30	.31	.31	.32	.32	.32	.33
4B. Frankfurters, hog casings (H. C.), artificial casings (A. C.) or skinless:											
1. All beef	.44	.43	.41	.41	.40	.40	.40	.40	.41	.41	.41
2. Type 1	.37	.36	.36	.35	.35	.35	.36	.36	.36	.37	.37
3. Type 2	.37	.36	.36	.35	.35	.35	.36	.36	.36	.37	.37
4. Type 3	.33	.32	.32	.31	.31	.31	.32	.32	.32	.33	.33
5. Type 4	.29	.28	.27	.28	.26	.27	.27	.28	.28	.28	.29
5A. Knackwurst, natural casings (N. C.):											
1. All beef	.42	.41	.39	.39	.38	.38	.38	.38	.39	.39	.39

GROUP 3 AND 4 STORES—Continued  
[Price per pound]

Item	Zone 1	Zone 2	Zone 3	Zone 4	Zone 4a	Zone 5	Zone 6	Zone 7	Zone 8 North and South	Zone 9 North and South	Zone 10
5B. Knackwurst, artificial casings (A. C.):											
1. All beef	.41	.40	.38	.38	.37	.37	.37	.37	.38	.38	.38
6A. Liver sausage, fresh:											
1. Hog bungs (H. C.)	.34	.33	.33	.32	.32	.32	.33	.33	.33	.34	.34
2. Beef casings (B. C.)	.32	.31	.30	.30	.29	.30	.30	.31	.31	.32	.32
3. Artificial casings (A. C.)	.32	.30	.30	.29	.29	.30	.30	.30	.31	.31	.31
6B. Liver sausage, smoked:											
1. Sewed hog bungs (H. C.)	.40	.38	.38	.38	.37	.38	.38	.38	.39	.39	.39
2. Other hog bungs (H. C.)	.38	.36	.36	.35	.34	.35	.36	.36	.36	.37	.37
3. Artificial casings (A. C.)	.34	.33	.33	.32	.32	.32	.33	.33	.34	.34	.34
7. Liver cheese:											
1. Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper											
2. Liver loaf:											
1. Artificial casings (A. C.), natural casings (N. C.), cardboard cartons or sealed packages of moisture resistant paper	.42	.40	.40	.40	.39	.40	.40	.40	.41	.41	.42
9. Liver pudding:											
1. Beef casings (B. C.)	.28	.27	.26	.26	.25	.26	.26	.27	.27	.27	.28
2. Artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper											
10. Loaves, artificial casings (A. C.), cardboard cartons or sealed packages of moisture resistant paper:											
1. Type 1	.63	.61	.61	.60	.59	.59	.60	.60	.60	.61	.61
2. Type 2	.48	.46	.46	.45	.45	.45	.46	.46	.46	.47	.47
3. Type 3	.34	.33	.32	.32	.31	.32	.32	.33	.33	.33	.34
4. Type 4	.29	.27	.27	.27	.26	.27	.27	.27	.28	.28	.28
11. Minced luncheon:											
1. Natural casings (N. C.)	.38	.36	.36	.36	.35	.36	.36	.36	.37	.37	.37
2. Artificial casings (A. C.)	.37	.36	.35	.35	.34	.35	.35	.36	.36	.36	.37
12. New England:											
1. Natural casings (N. C.)	.56	.55	.54	.54	.53	.54	.54	.55	.55	.55	.56
2. Artificial casings (A. C.)	.55	.54	.54	.53	.52	.53	.54	.54	.54	.55	.55
13. Polish sausage, hog casings (H. C.) or skinless:											
1. Type 1	.56	.55	.54	.54	.53	.54	.54	.55	.55	.56	.56
2. Type 2	.46	.44	.44	.44	.43	.44	.44	.44	.45	.45	.45
3. Type 3	.36	.34	.34	.34	.33	.34	.34	.35	.35	.36	.36
14A. Pork or breakfast sausage, fresh, sheep casings (S. C.):											
1. Type 1	.61	.58	.56	.52	.52	.50	.53	.52	.54	.54	.56
2. Type 2	.48	.47	.46	.46	.45	.45	.45	.46	.46	.46	.47
3. Type 3	.41	.39	.39	.38	.37	.38	.38	.38	.39	.39	.39
4. Type 4	.34	.32	.32	.31	.30	.31	.31	.31	.32	.32	.32
14B. Pork or breakfast sausage, fresh, hog casings (H. C.):											
1. Type 2	.44	.42	.42	.41	.40	.41	.41	.41	.42	.42	.42
2. Type 3	.37	.35	.35	.34	.33	.34	.34	.35	.35	.35	.35
3. Type 4	.30	.28	.28	.27	.26	.27	.27	.28	.28	.28	.28
14C. Pork or breakfast sausage, fresh, artificial casings (A. C.) or sealed heavy cardboard waxed cups, 1 lb. each or less:											
1. Type 2	.42	.40	.40	.39	.38	.39	.39	.39	.40	.40	.40
2. Type 3	.35	.33	.33	.32	.31	.32	.32	.32	.33	.33	.33
3. Type 4	.28	.26	.26	.25	.24	.24	.25	.25	.26	.26	.26
14D. Pork or breakfast sausage, fresh, cardboard cartons or sealed packages of moisture resistant paper, 1 lb. each or less:											
1. Type 2	.40	.39	.29	.38	.37	.37	.38	.38	.38	.39	.39
2. Type 3	.33	.32	.31	.31	.30	.30	.30	.31	.31	.31	.32
3. Type 4	.23	.22	.22	.21	.20	.20	.21	.21	.21	.22	.22
14E. Pork or breakfast sausage, fresh, bulk:											
1. Type 1	.52	.50	.47	.43	.43	.41	.44	.43	.45	.45	.47
2. Type 2	.39	.38	.37	.37	.36	.36	.36	.37	.37	.37	.38
3. Type 3	.32	.30	.30	.29	.28	.29	.29	.29	.30	.30	.30
4. Type 4	.23	.21	.21	.20	.19	.20	.20	.20	.21	.21	.21
15. Pork or breakfast sausage, smoked, hog casings (H. C.), artificial casings (A. C.) or skinless:											
1. Type 2	.48	.47	.47	.46	.46	.46	.47	.47	.47	.48	.48
2. Type 3	.45	.43	.43	.42	.42	.42	.43	.43	.44	.44	.44
3. Type 4	.34	.32	.32	.32	.31	.32	.32	.32	.33	.33	.33
16A. Salami, soft, artificial casings (A. C.):											
1. All beef	.47	.46	.45	.45	.44	.44	.44	.45	.45	.46	.46
16B. Salami, medium or hard, artificial casings (A. C.) (Sold weight shall not exceed 8% of the purchased weight):											
1. All beef	.67	.66	.65	.65	.64	.64	.64	.65	.65	.66	.66

This amendment shall become effective January 8, 1944, except that subitem 3 of item 14A, subitem 2 of item 14B and

subitem 2 of item 14C in the tables for Group 1 and 2 and Group 3 and 4 stores of section 20 shall become effective Jan-

uary 15, 1944, and except that section 6a (a) shall become effective as of November 1, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.  
CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-117; Filed, January 3, 1944; 4:51 p. m.]

## PART 1382—HARDWOOD LUMBER

[MPR 432,<sup>1</sup> Amdt. 2]

## NORTHERN HARDWOOD FLOORING

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 432 is amended in the following respects:

- In the title and preamble, the words "maple, birch and beech flooring" wherever appearing are amended to read "Northern hardwood flooring".
- In sections 1 (a), 7 (a) (2) and 9, the words "maple, birch and beech flooring" wherever appearing are amended to read "hardwood flooring covered by this regulation".
- Section 2 is amended to read as follows:

SEC. 2. *What products, transactions, and persons are covered.* This regulation covers all direct-mill sales of unfinished and prefinished hardwood flooring, other than oak and pecan flooring, produced anywhere in the United States except in the following hardwood lumber regions: Appalachian region, Southern region and South Central region.<sup>2</sup> The regulation applies regardless of the kind of mill or plant in which the flooring is produced, and regardless of whether the particular item is specifically priced in the price tables or not. Any person who makes a sale of this kind, for himself or others, is subject to this regulation.

This amendment shall become effective January 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-118; Filed, January 3, 1944; 4:50 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 10079, 12180.

<sup>2</sup> For description of Appalachian hardwood region, see MPR 146, 7 F.R. 3776; for description of Southern hardwood region, see RMPR 97, 8 F.R. 142; for description of South Central hardwood region, see MPR 155, 7 F.R. 4108.

## PART 1389—APPAREL

[MPR 438; Amdt. 8]

## MANUFACTURERS' PRICES FOR CERTAIN FALL AND WINTER OUTERWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 438 is amended in the following respects:

1. The date in the third unnumbered paragraph of section 3 is amended to read March 1, 1944.

2. The date in the fourth unnumbered paragraph of section 4 (a) is amended to read March 1, 1944.

3. The date in the last sentence of section 6 (b) (1) is amended to read March 11, 1944.

4. The date in the fifth sentence of section 6 (b) (2) is amended to read March 11, 1944.

5. The date in the last sentence of the text of section 6 (b) (3) is amended to read March 21, 1944.

6. The date in the first sentence of the effective date provision is amended to read March 1, 1944. The date January 1, 1944 in the third sentence of this provision is amended to read March 1, 1944.

This amendment shall become effective January 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of January 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-72; Filed, January 1, 1944;  
5:00 p. m.]

## PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SILK SYNTHETICS AND ADMIXTURES

[MPR 127; Amdt. 16]

## FINISHED PIECE GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 1400.82 (s) (1) of Maximum Price Regulation No. 127 is amended to read as follows:

(s) *Restrictions on sales of finished piece goods by certain producers.* (1) The percentage of the total business of any producer which is represented by dollar sales of finished piece goods to persons other than cutters, manufacturers, retailers, or war procurement agencies shall be no greater in relation to his total business than the average percentage of such dollar sales during the years 1939, 1940 and 1941: *Provided*, That without regard to the foregoing a producer may:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 10503, 12712, 14012.

<sup>2</sup> 8 F.R. 3057, 4851, 6181, 9023, 12934.

(i) Honor a preference rating for goods to be exported; and

(ii) Through February 15, 1944 sell finished piece goods to any wholesaler, jobber, or converter-jobber who has certified in writing to such producer that during any three-month period beginning on or after July 1, 1943, 65 per cent or more of his sales of finished piece goods were made to retailers and/or purchasers outside the continental United States.

Sales of finished piece goods by a producer which are made after January 1, 1943, in fulfillment of firm commitments for the sale of such goods entered into prior to December 1, 1942, shall not be included by the producer in determining the percentage of his sales which are restricted.

This amendment shall become effective January 8, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-119; Filed, January 8, 1944;  
4:51 p. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3; 10th Rev. Zoning Order 1]

## SUGAR RATIONING REGULATIONS; ORDER ESTABLISHING ZONES

Pursuant to § 1407.168, the Ninth Revised Zoning Order No. 1 is amended to read as follows:

§ 1407.281 *Establishment of zones; authorization of certain deliveries, shipments, and transfers.* (a) The following zones are hereby established:

Zone 1 shall include the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; and all counties in the State of Connecticut not located in Zone 2.

Zone 2 shall include the State of New York; Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex, and Union Counties in the State of New Jersey; and Fairfield County in the State of Connecticut.

Zone 3 shall include the States of Delaware and Pennsylvania and that part of the State of New Jersey which is not included in Zone 2.

Zone 3A shall include the State of Ohio; Brooke, Hancock, Ohio, and Marshall Counties in the State of West Virginia; and that part of the State of Indiana which is not located in Zone 8.

Zone 4 shall include the State of Maryland; Barbour, Berkeley, Braxton, Calhoun, Doddridge, Gilmer, Grant, Hampshire, Hardy, Harrison, Jefferson, Lewis, Marion, Mineral, Monongalia, Morgan, Pendleton, Pleasants, Preston, Randolph, Ritchie, Taylor, Tucker, Tyler, Upshur, Wetzel, Wirt, and Wood Counties in the State of West Virginia; Accomac, Arlington, Caroline, Charles City, Clarke, Culpeper, Elizabeth City, Essex, Fairfax, Fauquier, Frederick, Gloucester, Greene, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Madison, Mathews, Mid-

dleton, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Orange, Page, Prince George, Princess Anne, Prince William, Rappahannock, Richmond, Rockingham, Shenandoah, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warren, Warwick, Westmoreland, and York Counties and the independent cities of Alexandria, Fredericksburg, Hampton, Harrisonburg, Hopewell, Newport News, Norfolk, Portsmouth, Richmond, South Norfolk, Suffolk, Williamsburg, and Winchester in the State of Virginia; and the District of Columbia.

Zone 5 shall include all points in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland; that part of the State of Virginia which is not included in Zone 4; and that part of the State of West Virginia which is not included in Zones 3A and 4.

Zone 6 shall include the States of Georgia and South Carolina; and that part of the State of North Carolina which is not included in Zone 5.

Zone 7 shall include that part of the State of Florida which lies east of the Apalachicola River.

Zone 8 shall include the States of Arkansas, Alabama, Louisiana, and Mississippi; that part of the State of Florida which lies west of the Apalachicola River; those parts of the States of Kentucky and Tennessee which are not located in Zone 8A; and Benton, Boone, Brown, Carroll, Clark, Clay, Clinton, Crawford, Daviess, Dubois, Floyd, Fountain, Gibson, Greene, Harrison, Hendricks, Jasper, Johnson, Knox, Lake, Lawrence, Marion, Martin, Monroe, Montgomery, Morgan, Newton, Orange, Owen, Parke, Perry, Pike, Porter, Posey, Pulaski, Putnam, Spencer, Sullivan, Tippecanoe, Vanderburgh, Vermillion, Vigo, Warren, Warrick, Washington, and White Counties in the State of Indiana.

Zone 8A shall include Bell, Boyd, Breathitt, Carter, Elliott, Floyd, Greenup, Harlan, Johnson, Knott, Lawrence, Leslie, Letcher, Magoffin, Martin, Perry and Pike Counties in the State of Kentucky; and Anderson, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, McMinn, Meigs, Monroe, Polk, Rhea, Roane, Sevier, Sullivan, Unicoi, Union, and Washington Counties in the State of Tennessee.

Zone 9 shall include that part of the State of Texas which is not located in Zone 9A.

Zone 9A shall include Andrews, Armstrong, Bailey, Borden, Brewster, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Dickens, Donley, Ector, El Paso, Floyd, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Howard, Hudspeth, Hutchinson, Irion, Jeff Davis, Kent, King, Lamb, Lipscomb, Loving, Lubbock, Lynn, Martin, Midland, Mitchell, Moore, Motley, Ochiltree, Oldham, Farmer, Pecos, Potter, Presidio, Randall, Reagan, Reeves, Roberts, Scurry, Sherman, Sterling, Stonewall, Swisher, Terrell, Terry, Upton, Ward, Wheeler, Winkler, and Yoakum Counties in the State of Texas.

Zone 10 shall include the lower peninsula of the State of Michigan.

Zone 11 shall include the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin; the upper peninsula of the State of Michigan; and all counties in the State of Oklahoma except Beaver, Cimarron, and Texas Counties.

Zone 12 shall include all of the continental United States not included in Zones 1 to 11, inclusive.

(b) "Base rate", as used herein, refers to the lowest published refiners' base rate

in effect on the effective date of this Tenth Revised Zoning Order No. 1.

(c) Sugar may be delivered, shipped, or transferred as follows:

(1) From Zone 6 to any point in Zone 8A or to any point in the City of Bristol located in the State of Virginia.

(2) From Zone 8 to any point in Zones 3A, 8A, 9, 10, 11 or to any point in the City of Bristol located in the State of Virginia.

(3) From Zone 9 to any point in Zone 9A.

(4) From Zone 12 to any point in Zones 9A or 11.

(d) Prior to January 10, 1944, sugar may be delivered, shipped or transferred from Zones 2 or 3 to any point in Zones 3A or 10.

(e) (1) Granulated sugar in 5 and 10 pounds packages and confectioners' sugar in bulk may be delivered, shipped, or transferred from Zone 4 to any point located in Zone 5 and to any point in the City of Bristol located in the State of Tennessee.

(2) Confectioners' sugar in bulk may be delivered, shipped, or transferred from Zone 6 to any point in Zone 7.

(3) Sugar produced in the State of Minnesota may be delivered, shipped or transferred from any point in Zone 11 located in the State of Minnesota to any point in Zone 12 located in the State of North Dakota.

(f) Any carrier who has, prior to the effective date of this Tenth Revised Zoning Order No. 1, accepted sugar for a delivery, shipment, or transfer not at that time prohibited by §§ 1407.281 and 1407.168 may complete such delivery, shipment, or transfer after the effective date of this Tenth Revised Zoning Order No. 1 and any carrier who has, prior to January 10, 1944, accepted sugar for a delivery, shipment, or transfer from Zones 2 or 3 to any point in Zones 3A or 10 may complete such delivery, shipment, or transfer on or after January 10, 1944.

This revised zoning order shall become effective January 3, 1944.

(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Sec. 1407.168 of R.O. No. 3)

Issued this 3d day of January 1944.

WALTER F. STRAUB,  
Director, Food Rationing Division.

[F. R. Doc. 44-123; Filed, January 3, 1944;  
4:52 p. m.]

This supplement to Revised Ration Order 13 (§ 1407.1101), is hereby issued:

(a) Processed foods shall have the point value set forth in the Official Table of Point Values (No. 11) which is made a part hereof:

(b) The industrial user factors (referred to in section 6.6 (c) of Revised Ration Order 13) are as follows:

(1) For the allotment period from January 1, 1944 to March 31, 1944, inclusive:

Processed foods	Class of product or use (on Schedule I of OPA Form R-1200)	Factor
(i) Fruits:		
(a) Canned and bottled.....	All.....	10
(b) Frozen.....	All.....	9
(c) Dried and dehydrated.....	All.....	4.6
(ii) Vegetables:		
(a) Canned and bottled.....	All.....	10
(b) Frozen.....	All.....	9
(iii) Miscellaneous:		
(a) Dry beans.....	All.....	2
(b) Jellies, jams, marmalades, preserves, fruit butters.....	All.....	4

(c) The wholesale factor which is referred to in section 4.6 (b) of Revised Ration Order 13 is as follows:

(1) For the reporting period beginning December 5, 1943 and ending January 1, 1944—5.5.

(2) For the reporting period beginning January 2, 1944, and ending January 29, 1944—5.

(3) For the reporting period beginning January 30, 1944, and ending March 4, 1944—4.

(d) The retail factor which is referred to in section 5.8 (b) of Revised Ration Order 13 is 3.

(e) The following are the periods referred to in sections 2.4 (b) and 9.4 (e) of Revised Ration Order 13, during which stamps may be used by consumers:

(1) Green stamps from War Ration Book Four:

(i) A, B, and C may be used from November 1 to December 20, 1943, inclusive.

(ii) D, E, and F may be used from December 1, 1943 to January 20, 1944, inclusive.

(iii) G, H, and J may be used from January 1 to February 20, 1944, inclusive.

(f) Home processed foods shall have the point value assigned to corresponding processed foods items, in the Official Table of Point Values, except that the point value of an item of home processed foods shall in no event exceed 8 points per quart.

(g) Fruit juice single strength (natural fruit juice) or diluted shall have the point value set forth in the Official Table of Point Values. Fruit juice concentrated to more than single strength shall have a proportionately higher point value. (For example, a double strength fruit juice shall have a point value of twice the point value set forth in the table.)

This supplement shall become effective 12:01 a. m. on January 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, and 507, 77th Cong.;

E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 1st day of January 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-74; Filed, January 1, 1944;  
5:02 p. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[IMPR 373,<sup>1</sup> Amdt. 30]

#### MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation 373 is amended in the following respects:

1. Section 14 is hereby deleted.  
2. Section 41, Table XXVIII is amended to read as follows:

SEC. 41. *Table XXVIII: Maximum prices at retail for certain grocery items—(a) Records and reports.* Notwithstanding the provisions of section 11 of this Maximum Price Regulation 373, every person making sales of the commodities subject to this section 41 shall on and after the date any such commodity becomes subject to this regulation:

(1) Keep for inspection by the Office of Price Administration for a period of not less than one year, complete and accurate records of each purchase made by the seller, the date thereof, the name and address of the person selling to the seller, the direct cost thereof, the price paid, the quantity purchased, and

(2) Keep a "price book" and enter therein, in the case of commodities for which the maximum prices are calculated by a division or multiplication factor (not the commodities for which dollar and cent prices are specified), the net cost, the number of retail units in the customary wholesale unit (e. g. 48 cans to a case); every step in the calculation, including the division or multiplication factor used, and the resulting maximum price per retail unit. In addition to the matters set forth above, multiple outlet retail stores shall enter the quantity purchased in the price book where the ceiling price is computed on a weighted average basis. Such price book shall be available for inspection by the Office of Price Administration, or any consumer.

(b) *Prices to be marked and posted.* On and after the date any commodity becomes subject to this section 41 every person offering to sell any such commodity shall:

(1) Mark the maximum price of such commodity in a manner plainly visible

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10866, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139.

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, 2d Rev. Supp. 1]

##### PROCESSED FOODS

Revised Supplement 1 to Ration Order 13 is redesignated Second Revised Supplement 1 to Revised Ration Order 13 and is revised to read as follows:

§ 1407.1102 Second Revised Supplement 1 to Revised Ration Order 13.

to, and understandable by, the purchasing public. The maximum price may be marked on the commodity itself or on the shelf, bin, rack, or other holder or container upon or in which the commodity is kept, or it may be posted at the place in the business establishment where the commodity is offered for sale: *Provided*, That whichever of the above methods of posting is adopted, the maximum price of each commodity offered for sale shall be plainly visible to the purchaser at the place in the business establishment where the commodity is offered for sale, and shall not be obscured by the posted prices of other commodities, whether by use of price books or catalogs or layers of price lists or otherwise or in any other manner. The maximum price shall be stated as follows: "Ceiling Price \$\_\_\_\_\_"; or "Our Ceiling \$\_\_\_\_\_".

(2) Post in a place and manner easily accessible to and understandable by the purchasing public the price posters issued by this office, which will contain the maximum prices fixed by this regulation, wherever the sales of 50% of a retail outlet or any department thereof are priced in accordance with this regulation.

(c) *Sales slips and receipts*. Every seller of the commodities subject to this section 41, who has customarily given purchasers sales slips or receipts, shall continue to do so. Upon request from a purchaser, every such seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, the commodity sold and the price received for it.

(d) *Maximum prices*. The maximum prices for the grocery items covered by this section are set forth in Tables A, B, C, D, E and F following paragraph (f) of this section. These grocery items are divided into categories. In each category maximum dollar and cents prices may be specified for certain named items. The maximum prices for all other items in each category shall be computed by dividing or multiplying (as the case may be) net cost of the item by the division factor or the multiplication factor specified in the particular category. Where delivery of an item is received at a net cost different from that of an identical item already on hand, the retailer with multiple outlets may use as his net cost for the entire inventory a weighted average net cost of the inventory on hand. Stores which do not possess multiple outlets must price each delivery separately and market the various lots on a first in first out basis. Sellers in no event may resort to pricing by means of a multiplication or division factor where a dollar and cent price is specified: *Provided, however*, That a peddler purchasing from a second wholesaler in the Territory of Hawaii (who has determined his maximum price under the provisions of section 41a (c) (5) of this Maximum Price Regulation 373) shall determine his maximum retail prices for commodities thus purchased as follows: If a minimum price for the commodity purchased is listed in dollars and cents in this section, such price is the peddler's maximum price; if the maximum price for the commodity is to be determined by means of

a division or multiplication factor, said factor shall be applied to the maximum price of the primary wholesaler (from whom the second wholesaler purchased) rather than to the actual price paid by the peddler to the second wholesaler. (Second wholesalers are required by the provisions of section 41a (c) (5) of this Maximum Price Regulation 373 to furnish the peddler with a statement of the maximum price of the primary wholesaler.)

(1) *Example of use of division factor*. Assume the net cost for a case of 24 cans of Brand X is \$2.64 and the division factor is .78. Dividing \$2.64 by .78 yields \$3.385. Dividing this figure by 24 yields 14.1 cents per can. Adjusting this figure to the nearest cent, in accordance with MPR 373, section 7, results in a maximum price of 14 cents per can.

(2) *Example of use of multiplication factor*. Assume the net cost for a case of 24 cans of Brand Y is \$3.78 and the multiplication factor is 1.2. Multiplying \$3.78 by 1.2 yields \$4.536. Dividing this figure by 24 yields 18.9 cents per can. Adjusting this figure to the nearest cent, in accordance with MPR 373, section 7, results in a maximum price of 19 cents per can.

(e) *"Net cost" and certain transportation allowances*—(1) *Local purchases*—(i) *"Net cost"*. In the event an item is purchased from a supplier on the same Island "net cost" means the amount paid by the retailer as shown on the invoice of his supplier, less all discounts except the discount for prompt payment. *Provided*, That, in no event may this "net cost" exceed the maximum wholesale price of the seller of the commodity according to the provisions of section 41a of this Maximum Price Regulation No. 373.

(ii) *Transportation allowances*. When a retailer located in Zones 2 and 3 of any Island, as defined by Tables B and C of this section 41 purchases any item from a wholesaler located on the same Island but outside of Zones 2 or 3, he may add the actual cost of transportation from the wholesale warehouse to his place of business incurred by him to his invoice cost to obtain his "net cost." This "net cost" may then be divided by the appropriate division factor.

(2) *Inter-island purchases*—(i) *"Net cost"*. In the event an item is purchased by a retailer from a producer, retailer, or wholesaler located on another island in the Territory of Hawaii, "net cost" means the amount paid by the retailer as shown on the invoice of his supplier, less all discounts except the discount for prompt payment. *Provided*, That in no event may this "net cost" exceed the maximum wholesale price of the commodity in the island of origin according to the provisions of section 41a of this Maximum Price Regulation No. 373.

(ii) *Transportation allowances*. After computing his maximum price on the basis of "net cost" as defined above, the retailer importing from another island may increase his maximum price by adding thereto all actual costs necessary to place the article at the shipping terminal of the island of destination, and if the retailer is located in Zones 2 or 3 of the Islands of Maui and Hawaii

he may add also the actual transportation cost from the terminal to his place of business; and if the retailer is located outside of Zones 2 or 3 of the Islands of Maui and Hawaii as above defined, he may add also a local trucking charge as actually incurred but in no event to exceed \$1.20 per ton by weight or measurement at the option of the retailer.

(3) *Mainland purchases*—(i) *"Net cost"*. In the event an item is imported by a retailer directly from the mainland, the "net cost" shall be the wholesale ceiling price in the island of destination computed according to the provisions of section 41a of this Maximum Price Regulation No. 373.

(ii) *Obligations of importing retailers*. Importing retailers shall be subject to all of the provisions of section 41a with respect to imports from the mainland. An importing retailer is a retailer who purchases grocery items directly from a supplier located outside of the Territory of Hawaii. If any such retailer elects not to take the mark-up, provided by said section 41a, he shall be exempt from the obligations imposed by said section 41a, and he shall determine his "costs", upon which the retail mark-up is taken, as the sum of the costs named as elements of "landed cost" in section 41a (c) (1) (i) through (vi) of this Maximum Price Regulation 373, with the exception of the trucking allowance therein provided. In lieu of such trucking allowance, he may, at his option, add instead, as one of his costs, his actual expense for such cartage from the dock to his place of business.

(f) *Definitions*. (1) *"Baby foods"* mean all foods prepared in hermetically sealed containers of glass, tin, or other material, especially designed for the nourishment of infants and juniors, such as strained or diced vegetables, Pablum and Cerevum, but do not include (i) Dextromaltose, (ii) S. M. A. products other than Pablum, (iii) Nestle's and Mellin's Baby Foods, (iv) Lactogen, (v) Beta-Lactose, (vi) Olac, (vii) Casec, and (viii) other proprietary baby foods customarily listed by drug wholesalers, and normally purchased for use under the direction of a physician. Sales of Pabena, Pablum and Cerevum when made in drug stores are exempted from this section.

(2) *"Dried edible beans and peas"* mean all bulk or packaged threshed and dried field or garden beans and peas, and lentils used for human consumption.

(3) *"Beverage bases and concentrates"* include Kool-Aid, Ovaltine, Hires Root Beer extracts, and similar products, but do not include coffee or any bottled ready to drink beverages, such as Ginger Ales, Colas, and Tom Collins mixes.

(4) *"Bakers supplies"* mean all imported supplies sold for use in the preparation of bakery products, and shall include but are not limited to baking powder, coloring matter, mince meats, and yeast in shelf sizes. Excluded from this category are flour, sugar, and any other commodity included in any other category of this section or specifically covered by another regulation.

(5) *"Breakfast cereals"* mean bulk or packaged processed cereal grains used as

breakfast foods, both uncooked and ready to eat types. Included in this classification are hominy grits, puffed rice and puffed wheat; excluded are buckwheat flour, corn meal, pancake flour, pearled barley, and rice.

(6) "Cocoa and chocolate in shelf sizes" include, but are not limited to, powdered, cake, cooking chocolate. Excluded is chocolate bar candy coated with chocolate.

(7) "Mustard, vinegar, soy, catsup and tomato sauces" refer to food garnishes commonly known by these names.

(8) "Condiments and sauces" mean food garnishes, including but not limited to chili sauce, chutney, meat sauces, tobasco sauce, worcestershire sauce, and cocktail sauce, and pimientos.

(9) "Charcoal" means any bagged charred wood, imported or locally produced.

(10) "Corn starch" means edible starch used for cooking.

(11) "Crackers" mean all cookies, crackers and biscuits imported from the mainland or locally produced.

(12) "Dessert powders" shall include all concentrates of fruits or vegetables used in the preparation of gelatinous desserts, and tapioca.

(13) "Dessert preparations" mean all canned and packaged preparations ready to serve for dessert.

(14) Bakers and family flour. (i) "Bakers flour" means flour in bulk and prepared bulk flour from wheat other than flour made from durum wheat for use by commercial, institutional, or governmental users.

(ii) "Family flour" means flour in bulk from wheat which is packed and sold for ultimate use in the home.

(15) "Prepared packaged flour" means flour and flour mixes made from buckwheat, corn, potatoes, rice, or wheat, including but not limited to Aunt Jemima, Bisquick, corn meal, Dromedary, Sperry, buckwheat flour, Swansdown, and other ready to use packaged flour. Excluded is cake flour.

(16) "Cake flour" means flour and flour mixes made from buckwheat, corn, potatoes, rice, or wheat used in the making of cake.

(17) "Canned fruits and berries" mean fruits and berries preserved by heat and hermetically sealed in containers of metal, glass, or any other material, and include, but are not limited to, the following: apples, apple sauce, apricots, cherries, figs, fruit cocktails, fruits for salads, peaches, pears, pineapples, plums, blackberries, blueberries, boysenberries, cranberries, gooseberries, huckleberries, loganberries, raspberries, strawberries, and youngberries.

(18) "Dried fruits" mean fruits or parts thereof from which the major portion of moisture has been removed by natural or artificial drying, and include but are not limited to apples, apricots, currants, dates, figs, grapes (raisins), nectarines, peaches, pears, and prunes.

(19) "Canned juices" mean berry juices, citrus fruit juices, fruit juices and nectar, and vegetable juices packed in containers of metal, glass, or any other material.

(20) "Mayonnaise and salad dressing" mean all prepared dressings for salads except cooking and salad oils, and sandwich spreads with a mayonnaise base, or cheese base.

(21) "Chicken and turkey" mean preparations of chicken and turkey in jars or tins with mixed noodles and/or other ingredients.

(22) "Meats" mean canned meats and meats in combination with other foods, in containers of tin or glass, such as luncheon meats, spreads, sausages and sausage meats, frankfurters, hamburger, loaf goods, brains, tongues, bacon, corned beef, dried beef, sliced dried beef, hash, potted and deviled meats, spaghetti and meat balls, spaghetti sauce with meat, noodles and meat, stew (if in chief part meat), chili con carne, poultry in cans or glass, tamales, tortillas, and similar items which are customarily considered shelf goods, and are not stored under refrigeration.

(23) "Evaporated milk" means evaporated milk in hermetically sealed containers of metal, glass, or any other material. Other milk products mean any food commodity which is processed or manufactured from cow's milk, such as Klim, Avoset, condensed milk. Excluded, however, are butter, cheese, powdered skim milk, fresh milk, and malted milk products.

(24) "Packaged nuts" means all nuts packed in glass, tin, or cartons, shelled or unshelled, roasted or unprocessed, and sold in self sizes, and include almonds, brazil nuts, macadamia nuts, salted nuts and peanuts, and all other nuts, whether locally grown or imported. Bulk nuts mean nuts which are not customarily sold by the retailer in the original package.

(25) "Olives" mean all kinds of olives, whether green, ripe, stuffed, oiled, brined, and include olives packed in vinegar and mustard.

(26) "Paper products" mean toilet tissue, paper towels, paper napkins and picnic supplies, and wax paper. Picnic supplies include paper eating implements, plates and cups.

(27) "Paste products" mean all canned, packaged, and bulk macaroni, shells, noodles, spaghetti, and vermicelli.

(28) "Pet foods" mean all kinds of pet foods, packaged, bulk, canned, or dry.

(29) "Pickles" mean all kinds of pickles, whether green, ripe, stuffed, oiled, brined, and include pickles packed in vinegar and mustard.

(30) "Popcorn" means corn in tins or bags intended for the purpose of making popcorn.

(31) "Preserves, jams and jellies" mean all preserves, jams, jellies, and marmalade, except bakers' jams and jellies. Peanut butter shall include all spreads of ground peanuts, irrespective of the size of the granules or pieces of peanuts contained therein, including peanut butter chunk.

(32) "Rice" means all grades of white and brown milled rice sold in all types of containers.

(33) "Salt" includes all table and cooking salt.

(34) "Seafood" means all processed fish and sea food in hermetically sealed containers of metal, glass, or any other material, and includes, but is not limited to abalone, crab meat, lobster, salmon, sardines, shrimp, canned clam juice and broth. Excluded are fresh, dried, salted, smoked, and frozen fish and sea food.

(35 & 36) "Soap" means bar and packaged laundry and toilet soap in bars, cake, chips, powder, plain, granulated, or liquid form, but does not include medicated soaps, toilet soaps and soap products which, when priced under the margins established in this regulation, result in a maximum retail price in excess of 10 cents per unit, unless a dollar and cent price for such soap is specifically listed in this regulation.

(37) "Canned soups" mean any soups or broths in hermetically sealed containers of metal, glass, or any other material, and include condensed soups and broths and clam chowders.

(38) "Dehydrated soups" mean any commodity intended for the making of soup by the addition of liquid and shall include noodle soup mixes.

(39) "Spices and extracts" mean all kinds of spices and extracts, including but not limited to sodium glutamate, extracts in shelf sizes, grated cheese, cinnamon, pepper, vanilla, and bouillon cubes.

(40) "Cleansers and home laundry supplies" shall include Clorox, Old Dutch Cleanser, laundry starch, bluing, powder and cake cleaners other than soaps, and all other cleansers, and home laundry supplies. Excluded are poisonous home supplies, the merchandising of which requires a license, and brass, metal and silver polish, upholstery, floor, rug, wall and dry cleaners.

(41) "Sugar" means specialty sugars in packages or cartons imported from the mainland and also means direct-consumption sugar manufactured in the Territory of Hawaii.

(42) "Syrup and honey. (i) "Syrups" mean all edible molasses, sorghum, cane, maple and corn syrups and blends thereof;

(ii) "Honey" means imported extracted honey and includes combinations of extracted and comb honey.

(43) "Tea" means all kinds of tea, green and black, packaged and in bulk.

(44) "Canned vegetables" mean vegetables packed in containers of metal, glass, or any other material, and include but are not limited to beans, carrots, corn, okra, peas, pumpkins, puree of chopped vegetables, rhubarb, sauerkraut, spinach, tomatoes, stew, if in chief part vegetable, and vegetable paste.

(45) "Dehydrated vegetables" mean vegetables or vegetable mixtures which are prepared for consumption by the addition of liquid to restore the product to its original condition.

(46) "Specific wooden products" mean products of wood locally made or imported, and limited specifically to the following: brooms and their constituent parts, matches (including book matches), clothes pins, and toothpicks. Excluded are brooms manufactured by the Territorial Workshop for the Blind, all

brushes, and all brooms other than house brooms with brush of straw.

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU

(a) This Table A shall apply to the Island of Oahu only.

(b) The following maximum prices shall apply in the Island of Oahu.

Commodity and size:	Ceiling price per unit
(1) Baby food:	(cents)
Heinz Junior Foods, 6½ oz.	12
	(2 for 23)
Heinz Strained Foods:	
Apple Sauce, 4½ oz.	10
All others, 4½ oz.	10
	(2 for 19)
Pablum, 18 oz.	46
Pablum, 8 oz.	23
Cerevime, 16 oz.	42
Cerevime, 8 oz.	23

For all other baby foods covered by this regulation the division factor is .80.

(2) *Dried beans & peas.*—For all dried beans and peas packaged and in bulk the division factor is .77.

(3) *Beverage bases and concentrates.*

Cocomalt, 1 lb, gl.	60
Cocomalt, 1 lb, tin	50
Kool-Aid, assorted	5
Ovaltine, plain, 14 oz.	87
Ovaltine, plain, 6 oz.	42
Postum, Instant, 8 oz.	54
Postum, Instant, 4 oz.	31

For all other bases and concentrates, the division factor is .75.

(4) *Bakers' supplies & baking soda.*

Calumet Baking Powder, 1 lb.	23
K. C. Baking Powder, 25 oz.	25
K. C. Baking Powder, 10 oz.	10
Royal Baking Powder, 12 oz.	54
Royal Baking Powder, 6 oz.	28
Arm & Hammer Baking Soda, 1 lb.	12
Arm & Hammer Baking Soda, ½ lb.	6

For all other bakers' supplies and baking soda the division factor is .80.

(5) *Cereals.* (1) Prepared, ready to eat, breakfast cereals.

All Bran, Kellogg, 15 oz.	29
All Bran, Kellogg, 10 oz.	17
Bran Flakes, Kellogg, 8 oz.	14
Bran Flakes, Post, 8 oz.	14
Bran Shredded Whole, Post, 10 oz.	18
Cheerioats, Gold Medal, 7 oz.	17
Corn Flakes, Albers, 6 oz.	9
Corn Flakes, Kellogg, 11 oz.	16
Corn Flakes, Kellogg, 6 oz.	10
Grapenuts, Post, 12 oz.	18
Grapenut Flakes, Post, 12 oz.	21
Grapenut Flakes, Post, 7 oz.	14
Kix, Gold Medal, 7 oz.	17
Krumbles, Kellogg, 9 oz.	16
Pep, Kellogg, 10 oz.	18
Pep, Kellogg, 8 oz.	15
Puffed Rice, Quaker, 5 oz.	18
Puffed Wheat, Quaker, 4 oz.	16
Rice Krispies, Kellogg, 5½ oz.	17
Shredded Wheat, NBC, 12 oz.	16
Tens, Assorted Post, 11 oz.	33
Tens, Assorted Kellogg, 11 oz.	34
Toasties, Post, 11 oz.	16
Toasties, Post, 6 oz.	10
Wheaties, Gold Medal, 8 oz.	16

For prepared, ready to eat cereals the division factor is .82.

(ii) Cooking cereals.

Cream of Wheat, all types, 28 oz.	31
Cream of Wheat, all types, 14 oz.	18
Grapenut Wheat Meal, Post, 1 lb.	17
Pearls of Wheat, 28 oz.	24

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con.	Ceiling price per unit
(5) (ii) Cooking cereals—Con.	(cents)

Quick Oats & Regular, Albers Premium, 48 oz.	47
Quick Oats & Regular, Albers, No Premium, 48 oz.	88
Quick Oats & Regular, Albers, 20 oz.	18
Quick Oats, H-O, 20 oz.	18
China Oats, Mother's, All types, 48 oz.	48
China Oats, Mother's, All types, 20 oz.	19
Rolled Oats, Carnation, 48 oz.	39
Rolled Oats, Quaker, All types, 48 oz.	37
Rolled Oats, Quaker, All types, 20 oz.	17
Sperry Wheat Hearts, 28 oz.	27
Sperry Wheat Hearts, 14 oz.	16
Wheat Flakes, Carnation, Premium, 48 oz.	44
Wheat Flakes, Carnation, No Premium, 48 oz.	38
Wheat Flakes, Carnation, 16 oz.	18

For all cooking cereals the division factor is .80.

(6) *Cocoa, chocolate.*

Baker's Breakfast Cocoa, 1 lb.	23
Baker's Breakfast Cocoa, ½ lb.	13
Baker's Dot Sweetened Chocolate, ½ lb.	27
Baker's Prem. Unswtd., ½ lb.	21
Ghiradelli Ground Chocolate, 1 lb.	34
Ghiradelli Ground Chocolate, ½ lb.	20
Gittard Ground Chocolate, 2 lb.	55
Gittard Ground Chocolate, 1 lb.	30
Nestle's Swt. Milk Cocoa, 1 lb.	40
Nestle's Swt. Milk Cocoa, 8 oz.	22

For all other cocoa and chocolate the division factor is .80.

(7) *Mustard, vinegar, soy, catsup, and tomato sauce.*

Catsup:	
Alameda, 14 oz.	15
CHB, 14 oz.	20
Del Monte, 14 oz.	21
Heinz Ketchup, 14 oz.	26
Kern's, 14 oz.	17
Sacramento, 14 oz.	22
Sunblest, 14 oz.	20
Sunblest, 12 oz.	18
Sunstrand, 14 oz.	16
Yolo Tomato, 14 oz.	17
Yolo Tomato, 12 oz.	15
Mustard:	
CHB, 8 oz.	12
French's Prepared, 9 oz.	14
French's Prepared, 6 oz.	10
Gulden's, 8½ oz.	15
Gulden's, 2 oz.	5
Heinz, 6 oz.	12
Libby Prepared, 9 oz.	12
Libby Prepared, 6 oz.	10
Schillings Sauce, 6 oz.	12
Soya sauce:	
Blue Label, 1 gal.	\$1.51
Blue Label, 22 oz.	.36
CHB, 1 gal.	1.77
CHB, 32 oz.	.51
Fuji, 1 gal.	2.60
Fuji, ½ gal.	1.35
Green Label, 1 gal.	2.15
Green Label, 24 oz.	.48
Jan-u-Wine 6 Star, 1 gal.	2.26
Jan-u-Wine 6 Star, 22 oz.	.52
Jan-u-Wine 2 Star, 1 gal.	1.50
Jan-u-Wine 2 Star, 22 oz.	.36
Kikkoman, 1 gal.	1.29
King, 1 gal.	1.86
King, 22 oz.	.40
King, 11 oz.	.28
Red Label, 1 gal.	1.60

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Continued.

(7) *Mustard, vinegar, soy, catsup, and tomato sauce.*

Commodity	Ceiling price per unit
Red Label, 24 oz.	\$0.35
Ringer, 1 gal.	1.75

Tomato sauce:

Commodity	Cents
All brands, other than tomato hot sauce, 8 oz.	7

Vinegar:

CHB, white or cider, qt.	20
CHB, white or cider, pt.	12

Heinz, white or cider, qt.

Heinz, white or cider, pt.

Heinz Tarragon, pt.

Heinz Malt, pt.

Lady's Choice, qt.

Lady's Choice, pt.

Mopico, qt.

Mopico, pt.

S and W cider, qt.

Wellman, pt.

For all other mustard, vinegar, soy, catsup and tomato sauces, the division factor is .80.

(8) *Condiments & sauces.*

A-1 Sauce, 11 oz.	58
A-1 Sauce, 6 oz.	36

B & M Corn Relish, 14 oz.

Best Foods Horseradish Mustard, 9 oz.

Bouquet, Kitchen, 4 oz.

Del Monte Chili Sauce, 12½ oz.

Exquisite Cranberry Sauce, 16 oz.

Heinz Chili Sauce, 12½ oz.

Heinz India Relish, 12 oz.

Heinz India Relish, 8 oz.

Heinz Beefsteak Sauce, 8 oz.

Heinz Worcestershire Sauce, 12 oz.

Heinz Worcestershire Sauce, 6 oz.

Heinz Horseradish, 2½ oz.

IXL Mushroom Sauce, 7¾ oz.

Lea & Perrins Worcestershire Sauce, 10 oz.

Lea & Perrins Worcestershire Sauce, 5 oz.

Libby Chili Sauce, 12 oz.

McIlhenny's Tobasco Sauce, 2 oz.

Trappey's Tobasco Peppers, 3 oz.

For all other condiments and sauces the division factor is .75.

(9) *Charcoal.* For all charcoal the division factor is \$0.82.

(10) *Corn starch, edible.*

Argo, 1 lb.	11
Kingsford, 1 lb.	12, 2/23
Staleys, 1 lb.	10
Tiger, 1 lb.	11

For all other edible corn starches the division factor is .80.

(11) *Crackers, biscuits & Cookies.*

Mrs. Benzen's Danish Cookies, 14 oz.	70
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Home Run, Diamond & Love's Crackers

Crackers, all types, 2 lbs.	41
Crackers, all types, 1 lb.	21
Crackers, all types, 8½ oz.	11
Crackers, all types, 4½ oz.	6
Graham Crackers, 3½ lbs.	75
Graham Crackers, 1 lb.	23
Graham Crackers, 12 oz.	20
Graham Crackers, 7½ oz.	11
Jersey Cream, 2½ lbs.	53
Jersey Cream, 1½ lbs.	35
Jersey Cream, 1 lb.	23

For all other crackers, biscuits and cookies the division factor is .78.

(12) *Dessert powders.*

Jello, all flavors, & Jello Puddings, 3 oz.	8
Royal Puddings, Gelatins, 8½ oz.	8

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

For all other dessert powders the division factor is \$0.80.

(13) *Dessert preparations.* For all other dessert preparations, specifically fruit cake packaged or tinned, puddings, mince meats, the division factor is .75.

Commodity and size—Con. Ceiling price (14) *Flour, baker's and family.* per unit

Family Flour, 49 lb	\$2.75
Family Flour, 5 lb	.32

For all other baker's and family flour the maximum price shall be determined by multiplying invoice cost by 1.2.

(15) *Prepared package flour (not including cake flour).* Cents

Albers Flapjack, 20 oz	15
Aunt Jemima Pancake Flour, 20 oz	15
Sperry Pancake & Waffle Flour, 28 oz	21
Sperry Pancake & Waffle Flour, 14 oz	12
Bisquick, Gold Medal, 40 oz	39
Bisquick, Gold Medal, 20 oz	21
Fishers Biskit Mix, 40 oz	39
Albers White and Yellow Cornmeal Flour, 20 oz	13
Sperry's White and Yellow Cornmeal Flour, 16 oz	12

For all other prepared package flour (not including cake flour) the division factor is .80.

(16) *Cake flour, prepared packaged.*

Cinch White and Golden Cake Mix, 17 oz	34
Dromedary Mix Gingerbread, 12½ oz	25
Gold Medal, Softasilk, 44 oz	35
Swans Down, 44 oz	40

For all other prepared packaged cake flours the division factor is .75.

(17a) *Quick frozen fruits and vegetables.* For quick frozen fruits and vegetables the division factor is .75.

(17b) *Canned fruits.*

Apples:	
Comstock Sliced Pie, No. 2½ gl	28
Comstock pie tin, No. 2 can	19
Apple sauce:	
Bowman's, No. 2 can	15
Hood River, No. 2 can	14
Libby, No. 2 can	20
S & W, No. 2 can	23
V-B (Very Best), No. 2 can	18
Wegners, 303 gl	18
Apricots:	
Dodge, No. 2½ gl	39
S & W, No. 2½ gl	41
Top Flight Halves, No. 2½ gl	33
Cherries:	
Del Monte (Royal Anne), No. 2½ can	45
Del Monte (Royal Anne), No. 303 gl	27
Felice (Royal Anne), No. 2½ can	49
Figs:	
Palmdale, No. 2 can	39
Demand Kadota, No. 300 gl	24
Fruit cocktail:	
Del Monte, No. 1 can	24
Exquisite, 16 oz	19
Goblin', No. 1 can	22
Libby, No. 2½ can	34
Libby, No. 1 can	19
Rosedale Fruit Mix, No. 2½ gl	32
S & W, No. 2½ can	41
S & W, No. 1 can	23
Santa Cruz, No. 1 can	19
T & M, No. 1 can	22
Fruit salad:	
Above Par, No. 2½ can	50
Del Monte, No. 1 can	24
S & W, No. 2½ can	52
Signet, No. 2½ gl	45
Signet, No. 1 gl	27

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con. Ceiling price (17b) *Canned fruits—Con.* per unit

Grapefruit:	
Libby, 46 oz	53
Libby, 28 oz	20

Oranges:	
Mandarin, 11 oz	12

Peaches:	
FSCC "C" (Various Brands), No. 2½ can	25

FSCC "D" (Various brands), No. 2½ can	24
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Pears:	
Britwest St. Bartlett, No. 2½ can	31

Del Monte, Bartlett, No. 2½ can	34
Del Monte, Bartlett, No. 303 gl	25

Del Monte, Sliced, No. 2½ gl	36
Del Monte, Sliced, No. 303 gl	26

Flav-R-Pac Choice, No. 2½ Cont	35
Glorietta, Fancy, No. 2½ Cont	39

Libby, No. 2½ Cont	36
Pacific Mist, No. 2½ Cont	34

Rosebowl, Bartlett, No. 2½ Cont	34
Rosebowl, Bartlett, No. 2 tin	25

Selkirk, choice, No. 2½ Cont	38
Southern Beauty, No. 2½ Cont	34

Pineapples:	
Dole, Libby, Del Monte, all types:	

No. 2½ can	25
No. 2 can	21

Vitagold, King of Hawaii, Hawaiian Cross, all types (except crushed No. 2 cans):	
No. 2½ can	24

No. 2 can	20
Vitagold, King of Hawaii, Hawaiian Cross, crushed, No. 2 can	18

Plantation, Hawaiian Star, Pineapple, Sure Hit, sliced:	
No. 2½ can	23

No. 2 can	19
Ukulele, Hillsdale, Flowerland, Vifatruit, Mountain Top, half sliced and broken sliced:	

No. 2½ can	22
No. 2 can	18

Plums:	
Del Monte Deluxe, No. 2½ gl	25

Del Monte Deluxe, No. 303 gl	18
Prunes:	

All Gold prepared, No. 2½ gl	28
For canned apples, applesauce, apricots, Royal Anne cherries, fruit cocktail, grapefruit, oranges, peaches, pears, pineapples, and combinations thereof other than when prepared for diabetics, the division factor is .82.	

For all other canned fruits and berries, the division factor is .77.	
(18) <i>Dried fruits.</i>	

Prunes "30/40", 1 lb. cont	18
Prunes "50/60", 1 lb. cont	17

Prunes "60/70", 1 lb. cont	15
Prunes "90/100", 1 lb. cont	14

Raisins, 15 oz. box	13
For all other dried fruits the division factor is .80.	

(19) <i>Canned juices.</i>	
Apple cider:	

Martinelli, 1 gal	\$1.10
Martinelli, 1 qt	.29

Trexler's, 1 gal	1.60
Apple juice:	

D. Mann, 6 oz	.10
Hood River, 32 oz	.28

Hood River, 16 oz	.17
Martinelli, 32 oz	.28

Martinelli, 12 oz	.12
Miller, 1 gal	1.54

Miller, 6 oz	.13
Signet, 32 oz	.35

S & W, 12 oz	.20
Apricot nectar:	

Apricade, S & W, 12 oz	.13
Heart's Delight, 12 oz	.10

Highway, 12 oz	.10
Table Aid, 12 oz	.14

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con. Ceiling price (19) *Canned juices—Con.* per unit

Grape juice:	
Briardale, 1 qt	.44

Keystone, 1 qt	.55
Keystone, 1 pt	.29

S & W, 1 qt	.48
S & W, 1 pt	.26

Welch, 1 qt	.58
Welch, 1 pt	.31

Welch, 4 oz	.9
Grape juice:	

Big "R" Nat'l, No. 2 can	.20
Donald Duck Unswt., 46 oz	.42

Donald Duck Unswt., No. 2 can	.16

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TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Continued.

(20) Mayonnaise, salad dressings and sandwich spreads—Continued.	Ceiling price
Sandwich spreads—Con.	per unit
Kraft cream spread:	(cents)
Old English and Roka, 5 oz.	24
Pimento, Olive Pimento & Relish Spread, 5 oz.	21
Kraft Miracle Whip Sandwich Spr., 16 oz.	33
Kraft Miracle Whip Sandwich Spr., 8 oz.	19
Pabstette Blue Label Cream Sprs., 5 oz. gl.	19
Pabstette Cream Spreads, 6½ oz pkg	22

For all other mayonnaise, salad dressings and sandwich spreads, the division factor is .80.

## (21) Chicken and turkey.

Diplomat boned Chicken, 10½ oz.	\$1.43
Diplomat boned Chicken, 5½ oz.	.78
Lynden Egg Noodles and Chicken, 16 oz.	.36
Lynden Egg Noodles and Turkey, 16 oz.	.36
Lynden Twistee Noodle Dinner, 16 oz.	.17
Lynden Ravioli Italian Style, 16 oz.	.23
Lynden Boned Chicken, 8½ oz.	.53
Lynden Sliced Chicken, 5½ oz.	.81
Lynden Minced Chicken, 4 oz.	.44
Lynden Diced Chicken, 4 oz.	.50
Lynden Boned Turkey, 8 oz.	1.00
Lynden Chicken a la King, 16 oz.	.48
Lynden Roast Chicken, 16 oz.	1.34
Lynden Roast Chicken, 8 oz.	.73
R & R Boned Chicken, 5½ oz.	.93
R & R Boned Chicken, 3½ oz.	.61

For all other chicken and turkey the division factor is .77.

(22a) Meats—Deviled ham, dried beef, lamb, sheep and ox tongue, pork sausage and canned hamburger and onions, pigs feet, chili con carne, tamales, ravioli, enchilada and tortillas.

	Cents
Chile con Carne, IXL 12½ oz. tin	50
Deviled Ham, Cudahy Puritan, 2½ oz.	18
Deviled Ham, Libby, No. ¼ tin	19
Deviled Ham, Swifts, No. ¼ tin	19
Deviled Ham, Underwood, 5 oz.	32
Deviled Ham, Underwood, 3 oz.	22
Dried Beef, Armour's Star, 7 oz.	50
Dried Beef, Armour's Star, 3½ oz.	27
Dried Beef, Armour's Star, 2½ oz.	21
Hamburger Steaks & Onions, Libby, 5 oz.	16
Lunch Tongue, Libby, No. ¼ tin	13
Lunch Tongue, Cudahy Rex, 12 oz.	53
Lunch Tongue, Cudahy, 6 oz.	29
Pigs Feet, Armour's Star, 14 oz.	31
Pigs Feet, Morrell Semi-boneless, 28 oz. gl.	43
Pigs Feet, Morrell Semi-boneless, 14 oz. gl.	26
Pigs Feet, Morrell Semi-boneless, 9 oz. gl.	20
Pork Sausage, FSCC, all branch, 24 oz.	69
Sheep Tongue "V. B." No. 1 tin	39
Sheep Tongue "V. B." No. ½ tin	21
Sheep Tongue, Star, No. 1 tin	39
Sheep Tongue, Star, No. ½ tin	21
Sliced Beef, Libby, 2 oz.	20
Spiced Ham, Cudahy Puritan, 12 oz.	51
Tamale, Armour's Star, 16 oz.	29
Tamale, Armour's Star, 10½ oz.	22
Tortillas, Ashley, 11 oz.	36

For all other deviled ham, dried beef, lamb, sheep and ox tongue, sausage and canned hamburger and onions, pigs feet, chili con carne, tamale, ravioli, enchilada, and tortillas the division factor is .80.

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con. Ceiling price

(22b) Meats, other.	per unit
Corned Beef, all brands, 6 lb.	\$2.42
Corned Beef, all brands, 12 oz.	.85
Corned Beef Hash, all brands, 5½ lbs.	1.92
Corned Beef Hash, all brands, 24 oz.	.48
Deviled or Potted Meats, all brands, No. ½ tin	.12
Deviled or Potted Meats, all brands, No. ¼ tin	.08
	(2 for 15)
Pork Brains, Swifts, 12 oz.	.22
Pork Luncheon Meat, Spam, 12 oz.	.45
Pork Luncheon Meat, Prem, Neet, FSCC, all other, 12 oz.	\$0.43
Pork Tongue, 6 lb.	3.26
Sausage Meat, Armour's Banner, No. 1 tin	.21
Veal Loaf, Libby, 7 oz.	.22
Veal Loaf, Cudahy, 7 oz.	.27
Vienna Sausage, Armour's Star and Libby's, No. ½ tin	.15
Lunch Tongue, Armour's Star, No. 1 tin	.49
Lunch Tongue, Armour's Star, No. ½ tin	.26
Lunch Tongue, Banner Brand, No. ½ tin	.20

For all other meats the maximum price shall be determined by multiplying invoice cost by 1.2.

## (23) Milk Products.

Avolet Whipping Cream, ½ pt.	\$0.37
Avolet Light Cream, ½ pt.	.28
Eagle Condensed Milk, No. 1 can	.22
Evaporated Milk, all brands:	
48/14½ oz. cans	5.28
12/14½ oz. cans	1.38
One 14½ oz. can	.12
Klim Powdered Milk, 5 lb. can	3.25
Klim Powdered Milk, 1 lb. can	.77

For all other milk products (not including butter, cheese, powdered, skinned milk and fresh milk) the division factor is .80.

## (24) Nuts.

Planters' Peanuts, 5 oz.	Cents
	17

For all other packaged unsalted nuts and salted peanuts the division factor is .80.

For all unsalted nuts in bulk the division factor is .77.

For all salted nuts (not including salted peanuts) the division factor is .70.

## (25) Olives.

Libby Mammoth Ripe, No. 1 tin	31
Lindsay Mammoth Ripe, No. 1 tin	27
Sunland Jumbo Ripe, Pt. tin	32

For all olives the division factor is .75.

## (26) Paper products.

Scott Tissue, Roll	13
	(2 for 25)
Waldorf Toilet Tissue, Roll	9

(2 for 17)

For other paper products the division factor is as specified: toilet tissue .82; paper towels .80; paper napkins and picnic supplies .77 and wax paper .80.

## (27) Paste products.

Eagle Brand:	
Plain Noodle (Udon), 15 oz.	15
China Saimin Noodle, 14 oz.	15
Fancy Noodles (Somen), 14 oz.	15
Round Noodle (Maruba), 10 oz.	13
Saimin & Chow Fun, 10 oz.	18
Saimin & Chow Fun, 8 oz.	15
Macaroni, spaghetti, Ditalini and Shells, 8 oz.	10
Fontana Paste Products, 8 oz.	10
Canton Poppy Noodles, 14 oz.	12
Gold Medal elbow, cut and salad macaroni, 1 lb.	18

(2 for 35)

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con. per unit

(27) Paste products—Con.	per unit
Gold Medal Macaroni and spaghetti, 1 lb.	18

	(2 for 85)
Gold Medal Shells, 1 lb.	18
Gold Medal Egg Noodles, 1 lb.	30

	(2 for 59)
Gold Medal Egg Noodles, 8 oz.	16
	(2 for 31)

Royal Spaghetti & Macaroni, 8 oz.	9
Van Camp's Tenderoni, 6 oz.	11

Paste products, all brands, in bulk:	
Semolina macaroni, spaghetti and all semolina paste products all brands in bulk, 1 lb.	15
Flour macaroni, spaghetti and all flour paste products all brands in bulk, 1 lb.	13

For all other paste products the division factor is .80.

## (28) Pet food.

## Dog food:

Friskies, Albers, 2 lb.	28
Friskies, Albers, 12 oz.	11
Husky Concentrated, 8 oz.	9
Old English Dogfood, 10 oz.	11
Red Heart Dehydrated Dog food, 12 oz.	16

Strong Heart Concentrated, 8 oz.	9
Bird seed:	
French's, 10 oz.	13
Robinson Blue Bird, 12 oz.	13
S & W, 12 oz.	19
Spratt's 1 lb.	18

For all other pet foods the division factor is .80.

## (29) Pickles.

## CHB Dill Pickles "14-18":

1 gal.	\$1.05
Per pickle	.08
CHB Dill Pickles "20-24":	

1 gal.	1.17
Per pickle	.06
CHB Sour Mixed, 21 oz.	37
CHB Sweet Whole, 21 oz.	45
CHB Sweet Mixed, 21 oz.	45

CHB Sweet Dills, 21 oz.	38
CHB Chow Chow, 21 oz.	37
CHB Whole Dills & Kosher Dills, 21 oz.	31
CHB Chili Peppers, 21 oz.	31
CHB Sweet Whole, 12 oz.	29

CHB Sweet Mixed, 12 oz.	29
CHB Chow Chow, 12 oz.	29
CHB Chili Pepper, 12 oz.	24
CHB Pepper Mixed, 12 oz.	25
CHB, All types, 6 oz.	17

Del Monte Chili Pepper, 21 oz.	34
Del Monte Sweet Mix, 21 oz.	47
Del Monte Sour Mix, 21 oz.	42
Del Monte Chow Chow, 21 oz.	41
Del Monte Dill Pickles, 12 oz.	22

Del Monte Sour & Sour Mixed, 12 oz.	22
Del Monte Sweet & Sweet Mixed, 12 oz.	30
Del Monte Chow Chow, 12 oz.	30
Del Monte, All types, 6 oz.	17
Heinz Sweet Gherkins, Jumbo	52

Heinz Sweet Mixed or Mustard, Jumbo	50
Heinz Sweet Gherkins & Mixed, Modern	30
Heinz Sweet Gherkins & Mixed, Picnic	19
Heinz Chow Chow, Jumbo	51
Heinz Chow Chow, Modern	30

Heinz Cucumber, Jumbo	30
Heinz Cucumber, Octagon Jr.	19
Libby Sweet & Sweet Mixed, 21 oz.	46
Libby Dill Pickles, Picnic	17
Libby Sweet & Sweet Mixed, Picnic	17

Libby Homemade, Family	32
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TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con.	Ceiling price per unit (cents)
(29) <i>Pickles</i> —Continued.	
Trappeys Green Pickled Chili Peppers, 32 oz. jar	82
Yolo Dill Pickles "15-25":	
1 gal.	99
Per pickle	07
For all other pickles the division factor is .78.	
(30) <i>Popcorn</i> .	
For all popcorn the division factor is .77.	
(31) <i>Preserves, jams, jellies &amp; peanut butter</i>	
Apple Butter, Heinz, 17½ oz.	27
Apple Butter, Libby, 33 oz.	34
Berryland Ass't. Preserves, 32 oz.	56
CHB Strawberry Preserves, 16 oz.	30
Crystal Apricot Preserves, 32 oz.	38
Crystal Fig Preserves, 32 oz.	38
Crystal Logan berry Preserves, 32 oz.	43
Crystal Peach Preserves, 32 oz.	38
Crystal Plum Preserves, 32 oz.	38
Crystal Youngberry Preserves, 32 oz.	43
Del Monte Deluxe Apricot Jam, 2 lb. gl.	51
Del Monte Deluxe Apricot Jam, 1 lb.	30
Del Monte Deluxe Peach Jam, 2 lbs.	50
Del Monte Deluxe Peach Jam, 1 lb.	28
Del Monte Deluxe Plum Jam, Buffet.	13
Del Monte Deluxe Raspberry Jam, Buffet.	18
Del Monte Deluxe Strawberry Jam, Buffet.	18
Gold Coast Black Raspberry Jam, 32 oz.	58
Gold Coast Boysenberry Jam, 32 oz.	55
Gold Coast Blackberry Jam, 32 oz.	55
Gold Coast Loganberry Jam, 32 oz.	56
Gold Coast Red Raspberry Jam, 32 oz.	62
Gold Coast Youngberry Jam, 32 oz.	55
Gold Coast Strawberry Jam, 32 oz.	58
Gold Coast Quince Jelly, 16 oz.	30
Gold Coast Crab Apple, 16 oz.	30
Haiku Guava Jelly, 20 oz.	38
Haiku Guava Jelly, 8 oz.	14
Kern's Pine Apricot Jam, 2 lbs.	50
Kern's Peach Jam, 2 lbs.	45
Kern's Apricot, 2 lbs.	45
King Kelly Orange Marmalade, 16 oz.	42
Mary Ellen Plum Jam, 32 oz.	21
Mary Ellen Orange Marmalade, 2 lbs.	47
Mary Ellen Orange Marmalade, 1 lb.	26
Sierra Club Plum and Apple Jam, 32 oz.	34
Starr Strawberry Jam, 32 oz.	62
Starr Strawberry Jam, 16 oz.	33
Sunstrand Strawberry Pres., Buffet.	18
Wellman Orange Marmalade, 32 oz.	46
Wellman Orange Marmalade, 16 oz.	25
Peanut butter:	
Armour's, 2 lbs.	75
Bishop's, 1½ lbs.	63
Eishop's, 1 lb.	52
CPC Peanut Butter, 2 lbs.	79
CPC Peanut Butter, 1 lb.	44
Phillip's, 1 lb.	35
Phillip's, 6 oz.	18
Skippy Chunk Peanut Butter, 1 lb.	46

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con.	Ceiling price per unit (cents)
(31) <i>Preserves, jams, jellies &amp; peanut butter</i> —Con.	
& peanut butter—Con.	
Peanut butter—Continued.	
Skippy Creamy Peanut Butter, 1½ lbs.	68
Skippy Creamy Peanut Butter, 1 lb.	46
For all other preserves, jams, jellies and peanut butters, the division factor is .78.	
(32) <i>Rice</i> .	
U. S. #3 and Brown, 100 lbs.	88.70
U. S. #3 and Brown, 50 lbs.	4.40
U. S. #3 and Brown, 25 lbs.	2.23
U. S. #3 and Brown, 1 lb.	.09
U. S. #4, 100 lbs.	8.55
U. S. #4, 50 lbs.	4.32
U. S. #4, 25 lbs.	2.18
U. S. #4, 1 lb.	.09
U. S. #5, 100 lbs.	8.40
U. S. #5, 50 lbs.	4.25
U. S. #5, 25 lbs.	2.15
U. S. #5, 1 lb.	.09
For all other rice the maximum price shall be determined by multiplying invoice cost by 1.2.	
(33) <i>Salt</i> .	Cents
Aloha, 2 lb. pkg.	8
Arden Shaker, 2 lb. pkg.	9
Arden Shaker, 1½ lb. pkg.	5
Leslie, 2 lb. pkg.	9
Leslie, 1½ lb. pkg.	5
Leslie, 2 lb. bag.	7
Leslie, 1½ lb. bag.	6
Morton, 26 oz. pkg.	9
Morton, 2 lb. bag.	7
Morton, 1½ lb. bag.	6
For all other salt the division factor is .80.	
(34) <i>Seafood</i> .	
(i) <i>Salmon, sardines, tuna, pilchards, herring (other than pickled herring) and mackerel</i>	
Herring (FSCC) Various Brands, No. 1 oval	15
Mackerel, La Sirena Horse, 15 oz.	20
Pilchards, Various Brands, Nat., 16 oz. tall	12
Pilchards, Various Brands, Tomato, 15 oz. oval	15
Pilchards, Various Brands, Tomato, 1 tall	13
(2 for 25)	
Pink "No. 3" Salmon, 1 tall	26
Salmon, Red, Grade 1, tall	45
Salmon, FSCC Chinook, 7¾ oz.	33
Tomato Maine Sardines, Various Brands, 3¼ oz.	7
Tuna, Best Buy, Grated, 6 oz.	37
Tuna, Sun Harbor, Light Meat, 6½ oz.	42
Tuna, Sun Harbor, Grated, 6½ oz.	38
Tuna, Warranty, Fancy, No. ½ size	51
Tuna, Warranty, Grated, No. ½ size	48
For all other salmon, sardines, tuna, pilchards, herring (other than pickled herring), mackerel and seafoods not elsewhere specified the maximum price shall be determined by multiplying invoice cost by 1.2.	
(ii) <i>Oysters, barracuda, codfish, codfish cakes, fish flakes and squid</i>	
Barracuda, Sea View, 6 oz.	33
Coddies, Davies Bros., 10 oz.	22
Codfish Cakes, Dory Mate, 10 oz.	20
Fish Flakes, Davis, 7 oz.	23
Clipper Oysters, 7½ oz.	46
High Sea Oysters, 7½ oz.	46
American Beauty Oysters, 7½ oz.	43
Biloxi Oysters, 7½ oz.	50
Empire Oysters, 7½ oz.	49
Sea Coast Oysters, 7½ oz.	50
Treasure Bay Oysters, 7½ oz.	50
Tropical Oysters, 7½ oz.	45
Best Buy Squid, No. 1 Tall	19
Cordova in ink Squid, No. 1 Tall	18
Cresta Blanca Squid, No. 1 Tall	18
Natural Squid, No. 1 Tall	19

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Continued.	Ceiling price per unit (cents)
(34) <i>Seafood</i> —Continued.	
(ii) <i>Oysters, barracuda, codfish, codfish cakes, fish flakes and squid—Con.</i>	
Ocean Fresh in ink Squid, No. 1 Tall	16
Portola Squid, No. 1 Tall	16
St. Francis California Squid, 15 oz.	17
For all other oysters, barracuda, codfish, codfish cakes, fish flakes and squid the division factor is .80.	
(iii) <i>Lobster, crab, shrimp, clam, shadroe, abalone, anchovies, caviar and pickled herring</i>	
Lobster Bolero Cuban Rock, 5½ oz.	60
Clams, Pioneer Whole, No. 1 tin	36
Clams, Pioneer, Minced, No. ½ tin	31
Crabmeat, Tokeland Dungeness, 3¼ oz.	34
Crabmeat, Tokeland Fancy, 6½ oz.	54
Crabmeat, Newport, No. ½ tin	61
For all other lobster, crab, shrimp, clam, shadroe, abalone and anchovies, caviar and pickled herring the division factor is .75.	
(35) <i>Soap, bar, package and laundry</i> .	
Blue Mottled Soap (L. A. Soap Co.), Cake—60s	7
Blue Mottled Soap (L. A. Soap Co.), Cake—100s	6
Borene, Granulated, Giant Pkg.	91
Borene, Granulated, Thrift	46
Borene, Granulated, Lge. Pkg.	32
Calla Lilly Granulated, Lge. Pkg.	29
Crystal White, Reg. Size	5
Fels Naphtha, Bar	6
Ivory Soap Flakes, Large	30
Ivory Soap Flakes, Small	12
Ivory Snow, Large	30
Ivory Snow, Small	12
Lava, Lge. Bar	12
Lava, Sml. Bar	8
Lux Flakes, Lge. Pkg	29
Lux Flakes, Small	12
Nu Bora Granulated, Gt. Pkg.	66
Nu Bora Granulated, Lge. Pkg.	25
OK Blue Soap, Cake	8
(2 for 15)	
OK Brown Soap, Cake	7
Oxydol, Gt. Pkg.	85
Oxydol, Large	30
Oxydol, Small	12
Peets Granulated, Gt. Pkg.	66
Peets Granulated, 35 oz.	33
Peets Granulated, 24 oz.	25
Peets Mechanics' Soap, Cake	8
P & G Laundry Soap, Cake	6
(3 for 16)	
Rinsol, Gt. Pkg.	82
Rinsol, Large	29
Rinsol, Small	12
Strykers Kitchen Soap, Regular	5
Supersuds, Gt. Pkg	61
Supersuds, Lge. Pkg	28
White King Granulated, Jumbo 66 oz.	83
White King (W. K.) Gran., Giant	65
White King (W. K.) Gran., Fam. 29 oz.	39
White King (W. K.) Gran., Lge. 23 oz.	31
White King (W. K.) Gran., Small 8 oz.	14
White King (W. K.) Laundry Soap, Cake	6
(3 for 16)	
For all other soap, bar, package and laundry, the division factor is .82.	
(36) <i>Soap, toilet</i> .	
Camay, Regular	9
Cashmere Bouquet, Regular	10
Cashmere Bouquet, Small	6
(2 for 11)	
Ivory, Lge. Cake	13
Ivory, Med. Cake	8
(3 for 23)	
Ivory, Guest Cake	6

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con.	Ceiling price per unit
(36) <i>Soap, toilet—Continued.</i>	(cents)
Lifebouy, Regular Cake	9
	(2 for 17)
Lifebouy, Guest or Sml.	5
Lux, Cake	9
	(3 for 25)
Palmolive, Lge. or bath	12
	(3 for 35)
Palmolive, Reg. Cake	9
	(3 for 25)
Swan Soap, Lge. Cake	13
Swan Soap, Reg. Cake	8
	(3 for 23)
For all other toilet soap the devision factor is .80.	
(37) <i>Soups, canned.</i>	
Heinz Condensed Soups:	
Chicken Noodle, No. 1 can	19
	(2 for 37)
Tomato, No. 1 can	14
	(2 for 27)
Vegetable, No. 1 can	16
Vegetable—Beef, No. 1 can	19
	(2 for 37)
Lynden's Chicken Noodle Soup, No. 1 can	12
Rancho Vegetable Soup, 10½ oz.	9
Royal Chef Clam Chowder, No. 1 can	25
R & R Chicken Broth, 12½ oz.	24
Van Camp's Soups:	
Vegetable, No. 300 tall	15
Tomato, No. 300 tall	13
Asparagus, No. 1 can	10
Campbell's Soups: <i>Old style</i>	<i>New condens.</i>
Chicken,	
No. 1	14½¢ can
Chicken Gumbo,	
No. 1	18¢ can
Bouillon,	
No. 1	14½¢ can
Consomme,	
No. 1	14½¢ can
Vegetable—Beef,	
No. 1	12½¢ can
Beef, No. 1	12½¢ can
Chicken-Noodle,	
No. 1	12½¢ can
Vegetable,	
No. 1	13¢ can
Pea, No. 1	12½¢ can
Cream of Potato,	
No. 1	12½¢ can
Black Bean,	
No. 1	12½¢ can
Scotch Broth,	
No. 1	14½¢ can
Assorted,	
No. 1	12½¢ can
Asparagus,	
No. 1	14½¢ can
Bean with Bacon, No. 1	14½¢ can
Celery, No. 1	12½¢ can
Clam Chowder, No. 1	12½¢ can
Mock Turtle, No. 1	14½¢ can
Oxtail, No. 1	12½¢ can
Pepper Pot,	
No. 1	12½¢ can
Vegetarian Veg., No. 1	14½¢ can
Consomme Madrilene,	
No. 1	14½¢ can
Tomato,	
No. 1	10¢ can
For all other canned soups, the division factor is .80.	
(38) <i>Soups dehydrated</i>	
All Brands, 1¾ oz. to 2½ oz. pkg	10¢
For all other dehydrated soups the division factor is .80.	

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con.	Ceiling price per unit
(39) <i>Spices and extracts.</i>	<i>Ceiling price per unit</i>
Extracts:	
Bouillon Cubes, Libby: Jar/100	82.33
cube	(2 for .05)
Lemon, Schillings, 4 oz.	.80
Lemon, Schillings, 2 oz.	.41
Lemon, Schillings, 1 oz.	.23
Vanilla, Burnett's, 4 oz.	.83
Vanilla, Burnett's, 2 oz.	.43
Vanilla, Burnett's, 1 oz.	.24
Vanilla, Schillings, 4 oz.	.80
Vanilla, Schillings, 2 oz.	.41
Vanilla, Schillings, 1 oz.	.23
Pepper:	
Black, Schillings:	<i>Cents</i>
8 oz. tin	23
4 oz. gl.	18
4 oz. tin	13
2 oz. gl.	10
2 oz. tin	7
White, Schillings:	
4 oz. gl.	13
2¼ oz. gl.	13
2 oz. tin	10
Durkee, Black, 1¾ oz. cont.	6
Durkee, White, 2 oz. cont.	7
Enterprise, Black, 4 oz. cont.	11
Enterprise, Black, 2 oz. cont.	7
Tropic, Black, 4 oz. cont.	18
Spices, miscellaneous:	
Celery Salt, Schillings, 8 oz.	15
Cinnamon, Enterprise, 2 oz.	19
Cinnamon, Schillings, 2 oz.	19
Garlic Salt, Schillings, 3 oz.	15
Nutmeg, Schillings, 2 oz.	14
Onion Salt, Schillings, 3 oz.	15
For all other spices and extracts the division factor is .75.	
(40) <i>Supplies for the home and cleansers.</i>	
Babbitt, 13 oz.	6
Bear Brand Bluing, 32 oz.	20
Bear Brand Bluing, 22 oz.	17
Bear Brand Bluing, 16 oz.	12
Bear Brand Bluing, 10 oz.	11
Blue, Magic or Robin, Square	1
Park Bluing, Quart	24
Park Bluing, 12 oz.	11
Mrs. Stewart's, 10 oz.	17
Sunnyscene Liquid Bluing, 1 pt.	18
Bon Ami, Cake	11
Bon Ami, Powder, Tin	14
Clorox, ½ gal.	30
Clorox, 1 qt.	17
Clorox, 1 pt.	10
Crystal White Cleanser, 13 oz.	5
Lighthouse Cleanser, 13 oz.	8
Old Dutch, Can	11
Pearline, 10 oz.	5
Purex, 1 gal.	54
Purex, ½ gal.	31
Purex, 1 qt.	17
Purex, 1 pt.	9
Sapolio, Cake	11
Smith Chemical Bleach in bulk, 1 gal.	15
Smith Chemical Bleach in bulk, ½ gal.	25
Smith Chemical Bleach in bulk, 1 qt.	15
Smith Chemical Bleach in bulk, 1 pt.	8
SOS Cleaner, Box of 4	15
Starch Gloss, Argo, 1 lb.	13
	(2 for 25)
Starch Gloss, Calumet, 1 lb.	11
	(2 for 21)
Starch Gloss, Chinese, Bulk	14
Starch Gloss, Elastic, 12 oz.	10
Starch Gloss, Kingsford, 1 lb.	13
Starch Gloss, Staley's, 1 lb.	11
	(2 for 21)
Starch Gloss, Red, Bulk	11
Stryker's Cleanser, 9 oz. can	10
Sunbrite Cleanser, 9 oz. can	7

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con.	Ceiling price per unit
(41) <i>Sugar.</i>	(cents)
Granulated White Sugar, All brands, bagged or bulk, lb.	7
C & H Cubelets, 2 lb.	23
C & H Cubelets, 1 lb.	12
C & H Brown Sugar, 1 lb.	10
C & H Powdered Sugar, 1 lb.	11
Washed Hawaiian Sugar, 1 lb.	6
	(2 for 11)
For all other locally produced sugar, the maximum price shall be determined by multiplying the invoice cost by 12. For all other imported sugar the division factor is .82.	
(42) <i>Syrups, honey and molasses.</i>	
Honey, locally produced; strained and comb.	
1 qt. gl. jar (48 oz. net wt. or 32 liq. oz.)	65
1 pt. gl. jar (24 oz. net wt. or 16 liq. oz.)	38
½ pt. gl. jar (16 oz. net wt. or 12 liq. oz.)	26
½ pt. gl. jar (12 oz. net wt. or 8 liq. oz.)	20
¼ pt. gl. jar (6 oz. net wt. or 4 liq. oz.)	10
4¼" Square Combs	27
Molasses:	
Green Brer Rabbit, 12 fl. oz. can	20
Gold Brer Rabbit, 12 fl. oz. can	23
Syrups:	
Ewa Cane, 24 oz. gl.	34
Karo—Red Label, 24 oz.	22
Karo—Blue Label, 24 oz.	21
Log Cabin, 1 gal.	\$1.89
Log Cabin, 58 oz.	93
Log Cabin, 24 oz.	42
Log Cabin, 12 oz. gl.	26
Log Cabin, 12 oz. tin	21
Staley's Golden, 24 oz.	20
For all other syrups, honey and molasses the division factor is 0.80.	
(43) <i>Tea.</i>	
Bliss, ¼ lb.	23
Lipton, ¼ lb.	31
Maxwell House, ½ lb.	66
Maxwell House, ¼ lb.	34
Tenderleaf Green Tea, ¼ lb.	22
Tenderleaf Orange Pekoe, ¼ lb.	26
Tenderleaf Tea Balls, 20 balls	25
Tenderleaf Tea Balls, 8 balls	10
For all other teas the division factor is .80.	
(44) <i>Canned vegetables.</i>	
Asparagus:	
All Gold, All Green, Square can	44
Crescent Large Nat. No. 1 can	41
Del Monte Early Garden Spears, No. 2 can	59
Del Monte All Green Salad Points, 16 oz. can	37
Del Monte All Green Salad Points, Picnic	29
Del Monte E. G. Tips, Picnic	23
Homelike Asp. Spears green and white tips, No. 2 can	33
Hunt's green, No. 2 can	44
Libby Blended Asparagus, No. 2 can	34
Prince Finest Mary Washington, all green, 1 square can	44
Rialto White, No. 2 can	41
Santa Cruz Fey. Cut Asp., 8 oz.	15
S & W Mamoth Green, No. 2 can	41
Trupack Mamoth or Large Green Tips, No. 2 can	38
T & M, Natural, 1 square can	45
T & M, Natural, 1 tall can	14
Warranty, No. 2 can	41

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con.	Ceiling price
(44) Canned vegetables—Con.	per unit
Beans:	(cents)
Big R cut Green String, No. 2 can	25
Crines, Ex. Std. flat cut, No. 2 can	24
Del Monte Whole Green, No. 303 gl	21
Diamond R Florida Cut, No. 2 can	23
Reba Florida String, No. 2 can	24
Green Pearl Rd. Cut String, No. 2 can	24
Hollywood Bowl, No. 2 can	20
Indian River Ex. Std. flat cut, No. 2 can	24
Kelly's Ex. Std. Rnd. or flat, No. 2 can	22
Lord Chesterfield Ex. Std. Rnd. Cut, No. 2 can	23
Mountain Fresh Ex. Std. flat cut, No. 2 can	20
Osage String, No. 2 can	23
Ruskel Std. flat cut, No. 2 can	21
Success Cut String, No. 2 can	20
Sunblest Str. Extra cut Choice, No. 2 can	24
Van Camp's Red Kidney, No. 300 can	14
Beets:	
All Gold Sliced, No. 303 gl	17
All Gold Diced, No. 303 gl	15
All Gold Medium Whle., No. 2 can	17
All Gold Medium Whle., No. 303 gl	19
Deerfield Whole, No. 2 can	17
Del Monte Medium Whole, No. 303 gl	19
Del Monte Medium Whole, No. 2 can	18
Del Monte Diced, No. 303 gl	15
Del Monte Sliced, No. 303 gl	17
Del Monte Midget Whole, No. 2 can	15
Dodge Sliced, No. 2 can	20
Exquisite, sliced, diced and shoe-string, No. 2 can	15
Prince medium whole, No. 2 can	14
Prince midget whole, No. 2 can	17
Stokely, sliced, diced and shoe-string, No. 2 can	14
Sunblest tiny whole, No. 2 can	22
Sunblest sliced, No. 2 can	16
Sunkist diced beets, No. 303 gl	17
Carrots:	
All Gold diced, No. 303 gl	14
Del Monte diced, No. 303 gl	15
Del Monte Julienne, No. 303 gl	14
Libby, Diced, No. 303 gl	13
T. M. Diced, No. 2 can	15
Corn:	
Cross Keys, No. 2 can	16
Del Monte, all kinds, No. 303 gl	19
Del Monte, all kinds, No. 303 tin	16
Del Monte, all kinds, No. 2 can	19
Dodge Cream Style, No. 2 can	19
Exquisite Whole Kernel, No. 2 can	19
Exquisite Cream Style, No. 2 can	18
H. G. P. & Co., all types, No. 2 can	18
Libby, Whole Kernel and Cream Style, No. 2 can	19
Libby, Whole Kernel, No. 303 gl	18
Libby, Cream Style, No. 303 gl	16
Mrs. Grimes, C. S., No. 2 can	18
S & W Baby Kernel, No. 2 can	20
Stokely Whole Kernel, No. 2 can	19
Stokely Cream Style, No. 2 can	18
T. M. Cream Style, No. 2 can	21
T. M. Whole Kernel, No. 2 can	20
Peas:	
FSCC Various Brands, No. 2 can	18

TABLE A—MAXIMUM PRICES FOR THE ISLAND OF OAHU—Continued

Commodity and size—Con.	Ceiling price
(44) Canned vegetables—Con.	per unit
Pork and Beans:	(cents)
FSCC All Brands, No. 2½ can	23
Truhawaiian Beans with Pork, 7 oz. can	13
Potato:	
Shoe String Brownie, 3½ oz. Pkg	13
Pumpkin:	
Del Monte, 2½ can	16
Libby, 2½ glass	16
Sunstrand, 2½ can	16
Sauerkraut, Champion, Qt. glass	16
Spinach:	
Del Monte, 2½ can	18
Exquisite, 2½ can	20
Raiters, 2½ can	19
Stew, beef and vegetable:	
FSCC, all brands, 30 oz	86
FSCC, all brands, 28 oz	33
Tomato:	
Cala Ripe Standard, No. 2½ can	18
Del Monte, No. 2½ can	23
Del Monte, No. 2 can	17
Exquisite, Solid Pack, No. 2½ can	22
Libby, No. 2½ can	23
Mission, No. 2½ can	17
Mission, No. 2 can	16
Nations Treat, No. 2½ can	17
Premium Standard, No. 2½ can	17
Premium Standard, No. 2 can	14
Rosebowl, No. 2½ can	18
Silverdale Standard, No. 2½ can	17
Silverdale Solid Pack, No. 2 can	17
State Fair, No. 2½ can	18
Stokeley, No. 303 gl	13
Sunblest, No. 2½ can	21
Van Camp's Solid Pack, No. 2½ can	21

For all other canned asparagus, beans, beets, carrots, corn, peas, pork and beans, potato, pumpkin, stew, spinach, tomato, and combinations thereof other than when prepared for diabetics, the division factor is .82. For all other canned vegetables the division factor is .77.

## (45) Dehydrated vegetables.

For all dehydrated vegetables the division factor is 0.80.

## (46) Wooden products.

Diamond Toothpicks, Pkg	5
Kant Roll Clothes Pins, Dozen	5
Book matches, all brands (other than Diamond), Box of 50	16
Diamond Book Matches, Box of 50	18
Diamond Book Matches, Box of 15	5
Domino Wood Matches, Box	9
Fire Chief Safety Matches, Box	9
Gold Medal Matches, Box	9
Greenglo, Box	9
Japanese, Box	9
Signal Light, Box	9
Western Matches, S. O. B., Box	9

For all specified wooden products the division factor is .80. This includes toothpicks, clothespins, brooms and parts thereof, and matches, including book-matches.

TABLE B—MAXIMUM PRICES FOR THE ISLAND OF HAWAII

(a) This table shall apply to the Island of Hawaii only.

(b) The following maximum prices shall apply in the Island of Hawaii, except for commodities imported from another island in the Territory of Hawaii; as to these imported commodities see paragraph (e) below.

Definition No. (See Para. (f))	Commodity	Size	Ceiling price
5	Sperry Wheat Hearts	14 oz	18¢
7	Yolo Tomato Catsup	14 oz	19¢
7	Yolo Tomato Catsup	12 oz	17¢
7	French's Prepared Mustard	6 oz	12¢
7	King's Shoyu	1 gal	\$1.96
7	King's Shoyu	22 oz	43¢
7	King's Shoyu	11 oz	29¢
7	B. B. Shoyu	1 gal	\$1.42
8	Kitchen Bouquet	4 oz. Cont.	51¢
17b	V-B Apple Sauce	No. 2 can	15¢
17b	S & W Apple Sauce	No. 2 can	21¢
17b	Gale Compote Pears	32 oz	31¢
19	Absopure Orange Juice	12 oz	18¢
20	Durkee French Dressing	8 oz	20¢
22a	FSCC Dried Beef	7 oz	48¢
22a	V-B Sheep Tongue	No. 1 can	39¢
22a	V-B Sheep Tongue	No. ½ can	23¢
22b	Swift's Pork Brains	12 oz	25¢
24a	Planters Peanuts	5 oz	19¢
28	Albers Friskies	2 lb.	33¢
28	Albers Friskies	12 oz	11¢
34a	Tuna, Blue Sea Fancy White Meat	No. ½ can	49¢
34a	Tuna, All White Solid Pack	No. ½ can	48¢
34a	Tuna, Halfhill Light Meat	No. ½ can	43¢
34a	Tuna, Luxury grated	No. ½ can	40¢
34b	Sea View Barracuda	6 oz	40¢
34b	Oysters, High Sea or Mississippi Miss.	7 oz	42¢
34c	Bolero Cuban Rock Lobster	5½ oz	45¢
35	NuBora Granulated Soap	Giant Size	78¢
35	NuBora Granulated Soap	Large Size	30¢
42	Karo Red Label Syrup	24 oz. gl	23¢
42	Karo Red Label Syrup	24 oz. tin	20¢
44a	Hearts Delight Asparagus	No. 2 can	38¢
44a	Del Monte Diced Beets	No. 303 gl	18¢
44a	Del Monte Sliced Beets	No. 303 gl	20¢

(c) The specific dollar and cent ceilings listed in Table A for the Island of Oahu shall apply to the Island of Hawaii in all cases where the commodity ceiling price is not set forth in paragraph (b) of this table, except for commodities imported from another Island in the Territory of Hawaii; as to these imported commodities, see paragraph (e) below.

(d) In all cases where a specific dollar and cent ceiling price is not provided for any grocery item covered by this schedule, the ceiling price shall be computed by means of the multiplication or division factors set forth in Table A, and the "net cost", as defined in paragraph (e) of this section 41, except that:

(1) All stores in Zone 2 of the Island of Hawaii must use, in lieu of those set forth in Table A, a division factor .02 higher than those set forth; and in lieu of a multiplication factor of 1.2, a division factor of .85 shall be used. Zone 2 on the Island of Hawaii shall comprise the districts of North Hilo, Hamakua and Kau, as defined by Hawaiian Statute.

(2) All stores in Zone 3 of the Island of Hawaii must use a division factor, in lieu of those set forth in Table A, a division factor .03 higher than those there set forth; and in lieu of a multiplication factor of 1.2, a division factor of .86 must be used. Zone 3 of the Island of Hawaii shall comprise the districts of North Kohala, South Kohala, North Kona and South Kona as defined by Hawaiian Statute.

(e) Where a commodity is imported into the Island of Hawaii from any other Island in the Territory of Hawaii, the specific dollar and cent ceilings set forth in Table A and section (b) of Table B shall not apply, but the maximum price shall be computed by means of the appropriate division or multiplication factors set forth in paragraph (d) of

this Table and the "net cost" as defined in paragraph (e) of this section 41. This maximum price may be increased by the addition of such transportation allowances as are permitted by said paragraph (e). No commodity sold by the FSCC in the Island of Hawaii shall be regarded as an "import" regardless of its origin. Wherever a specific dollar and cent ceiling price is specified in Table A or in paragraph (b) of this Table on a FSCC item, such ceiling price shall be in effect on the Island of Hawaii.

(f) All retail grocery stores in Zones 2 or 3 of the Island of Hawaii may add 2 or 3% respectively to the maximum retail sales prices listed or computed in accordance with this Table. These additions must be made as a separate computation at the time of payment. Prior to the addition of the 2 or 3% differential appropriate to each zone, stores shall obtain and prominently display the poster issued by the Office of Price Administration stating the right of the store to this differential. Zones 2 and 3 shall be defined according to paragraph (d) above.

TABLE C—MAXIMUM PRICES FOR THE ISLAND OF MAUI

(a) This table shall apply to the Island of Maui only.

(b) The following maximum prices shall apply in the Island of Maui, except for commodities imported from another Island in the Territory of Hawaii; as to these imported commodities see paragraph (e) below.

Definition No. (See Para. (f))	Commodity	Size	Ceiling price
5b....	Albers Quick Oats and Regular.	48 oz.....	48¢
5b....	Sperry Wheat Hearts.....	14 oz.....	18¢
7....	CHB Catsup.....	14 oz.....	22¢
7....	CHB Soya.....	32 oz.....	55¢
7....	Jan-U-Wine 6 Star Soya.....	1 gal.....	\$2.11
7....	Paradise Soya.....	1 gal.....	\$1.73
7....	Paradise Soya.....	1 qt.....	47¢
7....	Paia Shoyu.....	1 gal.....	\$2.19
7....	Paia Shoyu.....	1 qt.....	55¢
7....	Maui Shoyu.....	1 gal.....	\$2.11
7....	King Shoyu.....	1 gal.....	\$1.96
7....	King Shoyu.....	27 oz.....	43¢
7....	King Shoyu.....	11 oz.....	29¢
12....	Jello.....	3 oz.....	96¢/25
12....	Royal Puddings.....	3 1/4 oz.....	96¢/25
15....	Sperry Cornmeal (all types)	16 oz.....	13¢
19....	Martinelli Apple Juice.....	32 oz.....	36¢
19....	Martinelli Apple Juice.....	12 oz.....	13¢
19....	Olmite Grapefruit Juice.....	No. 2 can.....	29¢
19....	Absopure Orange Juice.....	12 oz.....	26¢
19....	Libby's Orange Juice.....	12 oz.....	18¢
21....	Lynden Twisted Noodle Dinner.....	16 oz.....	19¢
21....	Lynden Minced Chicken.....	4 oz.....	46¢
21....	Lynden Boned Turkey.....	8 oz.....	\$1.04
21....	Lynden Chicken la King.....	16 oz.....	50¢
22a....	FSCC Dried Beef.....	7 oz.....	48¢
22a....	Underwood Devilled Ham.....	3 oz.....	17¢
22a....	"V. B." Sheep Tongue.....	No. 1/2 tin.....	25¢
22b....	Armour's Star Lunch Tongue.....	No. 1/2 tin.....	22¢
27....	Fontana Paste Products.....	8 oz. pkg.....	11¢
27....	Royal Spaghetti and Macaroni.....	8 oz. pkg.....	10¢
35....	Oxydol.....	Giant.....	88¢
40....	Clorox.....	1 qt.....	21¢
40....	Sapolio.....	Cake.....	12¢
44a....	Tru-Hawaiian Maui Soy Beans with Pork.....	7 oz.....	12¢

(c) The specific dollar and cents ceilings listed in Table A for the Island of Oahu shall apply to the Island of Maui in all cases where the commodity ceiling price is not set forth in paragraph (b) of this table, except for commodities imported from another Island in the Territory of Hawaii; as to these imported commodities, see paragraph (e) below.

(d) In all cases where a specific dollar and cent ceiling price is not provided for any grocery item covered by this section, the ceiling price shall be computed by means of "net cost" as defined in paragraph (e) of this section 41, and the multiplication or division factors set forth in Table A, except that:

(1) All stores in Zone 2 of the Island of Maui must use, in lieu of those set forth in Table A, a division factor .02 higher than those there set forth; and in lieu of a multiplication factor of 1.2, a division factor of .85 shall be used. Zone 2 of the Island of Maui shall comprise the district of Hana and that portion of the district of Makawao lying south of the south boundary of Ahupua Kamaole, as defined by Hawaiian Statute.

(e) Where a commodity is imported into the Island of Maui from any other Island in the Territory of Hawaii, the specific dollar and cent ceiling set forth in Table A and paragraph (b) of Table B shall not apply, but the maximum price shall be computed by means of the "net cost" as defined in paragraph (e) of this section 41, and the division or multiplication factors set forth in paragraph (d) of this table for the various sections of Maui. This maximum price may be increased by the addition of such transportation allowances as are permitted by said paragraph (e). No commodity sold by the FSCC in the Island of Maui shall be regarded as an "import" regardless of its origin. Wherever a specific dollar and cent ceiling price is specified in Table A or in paragraph (b) of this table, on a FSCC item, such ceiling price shall be in effect on the Island of Maui.

(f) All retail grocery stores in Zone 2 of the Island of Maui may add 2% to the maximum retail sales prices listed or computed in accordance with this Table C. These additions must be made as a separate computation at the time of payment. Prior to the addition of the 2%, stores shall obtain and prominently display the poster issued by the Office of Price Administration stating the right of the store to this differential. Zone 2 of the Island of Maui shall be defined according to paragraph (d) of this table.

TABLE D—MAXIMUM PRICES FOR THE ISLAND OF KAUAI

(a) This table shall apply to the Island of Kauai only.

(b) The following maximum prices shall apply in the Island of Kauai except for commodities imported from another Island in the Territory of Hawaii; as to these imported commodities see paragraph (d) below.

Definition No. (See Para. (f))	Commodity	Size	Ceiling price
5b....	Quaker Oats, Regular.....	48 oz.....	47¢
5b....	Mother's China Oats.....	48 oz.....	48¢
7....	Radcliffe Shoyu.....	1 gal.....	\$2.29
7....	Radcliffe Shoyu.....	1 qt.....	73¢
7....	King Shoyu.....	1 gal.....	\$1.96
7....	King Shoyu.....	22 oz.....	43¢
7....	King Shoyu.....	11 oz.....	29¢
7....	Jello.....	3 oz.....	96¢/25
12....	Royal Gelatin.....	3 1/4 oz.....	96¢/25
12....	Gold Medal Softaslike Cake Flour.....	44 oz.....	37¢
17b....	Mandarin Oranges.....	11 oz.....	14¢
19....	MacComber's Apple Juice.....	32 oz.....	32¢
19....	MacComber's Orange Juice.....	12 oz.....	14¢
19....	Absopure Orange Juice.....	12 oz.....	17¢
19....	Libby Orange Juice.....	12 oz.....	18¢
20....	Durkee Mayonnaise.....	8 oz.....	23¢
20....	Dinner Bell Salad Dressing.....	16 oz.....	29¢
22a....	FSCC Dried Beef.....	7 oz.....	48¢
34a....	Halfhills Horse Mackerel.....	No. 1 can.....	21¢
34b....	Oysters, Clipper, High Seas and Mississippi Miss.....	7 oz.....	42¢

(c) The specific dollar and cents ceilings listed in Table A for the Island of Oahu shall apply to the Island of Kauai in all cases where the commodity ceiling price is not set forth in paragraph (b) of this table, except for commodities imported from another Island in the Territory of Hawaii as to these imported commodities, see paragraph (d) below.

(d) Where a commodity is imported into the Island of Kauai from any other Island in the Territory of Hawaii, the specific dollar and cent ceiling set forth in Table A or in paragraph (b) of this table shall not apply, but the maximum price shall be computed by means of the "net cost" as defined in paragraph (e) of this section 41 and the appropriate division or multiplication factor specified in Table A. This maximum price may be increased by the addition of such transportation allowances as are permitted by said paragraph (e). No commodity sold by the FSCC in the Island of Kauai shall be regarded as an "import" regardless of its origin. Wherever a specific dollar and cent ceiling price is specified in Table A or in paragraph (b) of this table for a FSCC item, such ceiling price shall be in effect on the Island of Kauai.

TABLE E—MAXIMUM PRICES FOR THE ISLAND OF MOLOKAI

(a) This table shall apply to the Island of Molokai only.

(b) The following maximum prices shall apply in the Island of Molokai. To these prices may be added the differential permitted by paragraph (e) below.

Definition No. (See Para. (f))	Commodity	Size	Ceiling price
5b....	Albers Quick Oats & Regular.	48 oz.....	40¢
14....	Flour, family, FSCC.....	49 lbs.....	\$2.67
22a....	Dried Beef, FSCC.....	5 lbs.....	31¢
22b....	Pork Luncheon Meat, FSCC; Prem, Treet, all brands.	7 oz.....	47¢
		12 oz.....	42¢
82....	Rice, FSCC:		
	100 lb.....		\$8.44
	50 lb.....		4.27
	25 lb.....		2.17
	1 lb.....		.09
			\$8.29
			4.19
			2.09
			.09
			.09
			.09

(c) The specific dollar and cents ceiling prices listed in Table A for the Island of Oahu shall apply to the Island of Molokai in all cases where the commodity ceiling price is not set forth in paragraph (b) of this table. To these ceiling prices may be added the differential permitted by paragraph (e) below.

(d) In all cases where a specified dollar and cent ceiling price is not provided in Table A or in paragraph (b) of this table, the maximum price shall be computed by means of the "net cost" as defined in paragraph (e) of this section 41, and the appropriate division factor. This maximum price may be increased by the addition of such transportation allowances as are permitted by said paragraph (e). The division factors to be used shall be found by adding .03 to all division factors set forth in Table A and by using a division factor of .86 in lieu of a multiplication factor of 1.2 whenever this factor is specified in Table A. To these prices thus computed may be added the differentials permitted by paragraph (e) below.

(e) All retail grocery stores on the Island of Molokai may add 3% to the maximum retail sales prices listed or computed in accordance with this table. This addition must be made as a separate computation at the time of payment. Prior to the addition of the 3% differential, stores shall obtain and prominently display the poster issued by the Office of Price Administration stating the right of the store to this differential.

TABLE F—MAXIMUM PRICES FOR THE ISLAND OF LANAI

(a) This table shall apply to the Island of Lanai only.

(b) The specific dollar and cents ceiling prices listed in Table A for the Island of Oahu shall apply to the Island of Lanai. To these prices may be added the differentials permitted by paragraph (d) below.

(c) In all cases where a specific dollar and cent ceiling price is not provided in Table A, the maximum price shall be computed by means of the "net cost" as defined in paragraph (e) of this section 41 and the appropriate division factor. This maximum price may be increased by the addition of such transportation allowances as are permitted by said paragraph (e). The factor to be used shall be found by adding .02 to all division factors set forth in Table A and by using a division factor of .85 in lieu of a multiplication factor of 1.2, whenever this factor is specified in Table A. To the prices thus computed may be added the differentials permitted by paragraph (d) below.

(d) All retail grocery stores on the Island of Lanai may add 2% to the maximum retail sales prices listed or computed in accordance with this Table. This addition must be made as a separate computation at the time of payment. Prior to the addition of the 2% differential stores shall obtain and prominently display the poster issued by the Office of Price Administration stating the right of the store to this differential.

This amendment shall become effective as of October 7, 1943, except that:

(a) The provisions of section 41 with respect to sales of commodities for which the maximum price is set forth herein in dollars and cents or in dollars and cents plus a two or three per cent differential shall become effective September 23, 1943.

(b) On and after September 9, 1943 any seller covered by this regulation may, at his option, use as his maximum prices the maximum prices set forth in section 41.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-121; Filed, January 3, 1944;  
4:51 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14<sup>1</sup> to the GMPR, Amdt. 73]

PINE WOOD EXCELSIOR PRODUCED IN  
VIRGINIA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation No. 14 to the General Maximum Price

Regulation is amended in the following respect:

Section 6.35 is added to read as follows:

SEC. 6.35 Pine wood excelsior produced in Virginia—(a) Maximum prices for sales by manufacturers and by Virginia Excelsior Mills, Incorporated, Doswell, Virginia. The maximum price f. o. b. mill per net ton for sales by manufacturers, and by Virginia Excelsior Mills, Incorporated, Doswell, Virginia, of pine wood excelsior produced in the State of Virginia shall be as follows:

Grade:	Maximum price for carload lots shipped to jobbers and distributors	
	Per net ton f. o. b. mill	
XX		\$23.50
XXXX		25.50
Wood Wool		36.50
Fine Wood Wool		44.50

Addition for less than carload shipments.

1 to 10 tons, add \$2.00 per ton to above prices

Less than 1 ton, add \$4.00 per ton to the above prices

Addition for shipments direct to consumer.

Add \$2.00 per ton to above prices

(b) Maximum price for sales by jobbers or distributors. The maximum price per net ton for sales by jobbers and distributors of pine wood excelsior produced in Virginia shall be the seller's maximum price established under the General Maximum Price Regulation for the particular grade of excelsior, and class of consumer, plus \$2.50 per ton.

(c) Grade. The grades used in this section shall be of the same standards and specifications as are commonly used by the wood excelsior industry, and generally understood in the trade.

This amendment shall become effective January 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-126; Filed, January 3, 1944;  
4:49 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 364<sup>1</sup> Amdt. 10]

FROZEN FISH AND SEAFOOD

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 364 is amended in the following respects:

1. Section 3 (c) is amended to read as follows:

(c) Wholesaler's mark-up for different classes of sales. Mark-up is the

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>8 F.R. 9787.

<sup>1</sup>8 F.R. 4640, 5586, 7592, 11175, 12023.

percentage over net cost set forth hereinafter for each class of wholesaler or the type of sale involved. To obtain the selling price, multiply the net cost by the percentage mark-up figure—the result added to the net cost is the selling price. The mark-up which applies in any particular sale depends on the class in which the wholesaler is and the kind of service performed in the particular sale. The classes, types of service, and mark-ups are set forth in the following paragraph (d). No wholesaler who purchases from and sells to other wholesalers may sell at a price higher than his seller's maximum price. In no event shall the price charged for a sale to a retail store or purveyor of meals include more than one primary wholesaler mark-up (regardless of whether that mark-up is taken pursuant to this section or section 2) and one retailer-owned cooperative or cash and carry or service and delivery wholesaler mark-up.

2. Section 3 (d) (1) is amended to read as follows:

(1) Primary wholesalers are wholesalers other than importers who buy frozen fish or seafood from processors or importers and distribute it for resale from cold storage warehouses to other wholesalers or to retailer-owned cooperative and chain store warehouses. In the sale of frozen fish or seafood which has been unloaded, stored and warehoused in the regular course of his business, the primary wholesaler's mark-up is 12%. In the case of sales of goods which have not been stored and warehoused, the primary wholesaler's mark-up is 7%. In the case of sales involving delivery from the processor's cold storage warehouse to the primary wholesaler's customer, there is no mark-up. In the case of sales of Atlantic Coast smelts to any wholesaler, the seller may take no mark-up over the base price listed in section 14.

3. Section 3 (e) is amended to read as follows:

(e) Imported frozen fish and seafood. The maximum price at which any importer may sell any imported frozen fish or seafood listed in section 14 to a person other than a retailer or purveyor of meals shall be the base price listed in section 14 for the species and style of dressing plus or minus the differential for packaging provided for in section 13, plus the actual freight to the importer's warehouse from the point at which the frozen fish or seafood enters the United States. If that freight is less than the carload rail freight rate from the shipping point in the United States closest to the foreign processor's plant to the importer's warehouse, the latter may be added in place of the actual freight. However, where frozen Atlantic Coast smelts are imported for resale in the United States, the freight from the point of shipment to the importer's warehouse, not to exceed the carload rail freight rate if such rate is available, may be added. The maximum price for sales by an importer who performs the function of a retailer-owned cooperative wholesaler, cash and carry wholesaler or service and

delivery wholesaler shall be the foregoing maximum price plus the appropriate mark-up as provided in section 3 (d) (2), (3), (4), (5), or (6).

This amendment shall become effective January 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-122; Filed, January 3, 1944;  
4:53 p. m.]

**PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS**

[R.O. 16;<sup>1</sup> Amdt. 8 to Rev. Supp. 1]

**MEAT, FATS, FISH AND CHEESES**

Section 1407.3027 (e) (4) is added to read as follows:

(4) "Spare" stamp numbered "2" in War Ration Book IV, is good for five points. It may be used by consumers from January 2, 1944 to 12:01 a. m., January 16, 1944, only to acquire all types of sausage, and fresh and frozen pork, except canned or bottle sausage or pork. It may be used by persons other than consumers in the same way as a five-point brown stamp.

This amendment shall become effective at 12:01 a. m., January 2, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 1st day of January 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-120; Filed, January 3, 1944;  
4:50 p. m.]

**PART 1499—COMMODITIES AND SERVICES**

[Rev. SR 1<sup>2</sup> to GMPR, Amdt. 43]

**EXCEPTIONS OF COMMODITY TRANSACTIONS FROM THE GENERAL MAXIMUM PRICE REGULATION**

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation No. 1 is amended in the following respects:

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 16893.

<sup>2</sup> 8 F.R. 4978, 6055, 6363, 6547, 6615, 6852, 6964, 7261, 7270, 7349, 7592, 7600, 7668, 8710, 8754, 9016, 9025, 9218, 9219, 10002, 10304, 10759, 11572, 11754, 11738, 11814, 11951, 12406, 12793, 13171, 13513, 14473, 14819, 15381, 15432, 15527.

1. Section 4.2 (f) is amended to read as follows:

(f) Clay pigeons, but this exemption shall expire on April 1, 1944.

2. Section 4.3 (k) is amended to read as set forth below:

(k) The following commodities, but this exception shall expire April 1, 1944:

(1) The following ski troop equipment: carabiners, ice axes, pitons, ski bindings, ski poles, ski wax, mountain and ski goggles;

(2) Field ranges, Model-1937 (Quartermaster Corps); spare parts thereof, Class A.

(3) Deliveries of the following commodities pursuant to contracts entered into prior to January 1, 1943:

(i) Accessories for field range Model-1937 (Quartermaster Corps). Parts 222, 223, 224, 225, 226, 227, 228, 229, 230, as listed in Instructions for Operation and Care of Gasoline Field Range, Model-1937 (Quartermaster Corps);

(ii) Metal insignia, cap and collar (for enlisted men).

(4) Deliveries of canteen cups and meat cans, Model M-1942 pursuant to contracts entered into prior to April 1, 1943.

This amendment shall become effective as of January 1, 1944.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 1st day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-125; Filed, January 3, 1944;  
4:50 p. m.]

**PART 1499—COMMODITIES AND SERVICES**

[Rev. SR 14 to GMPR, Amdt. 79]

**IMPORTED HARD CANDY**

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation 14 is amended in the following respects:

1. Section 1.25 (b) (1) is added to read as follows:

(1) All sellers of the imported hard candy which becomes subject to the provisions of this section on February 15, 1944, except retailers, shall render an invoice covering each sale made on or after December 27, 1943, stating thereon that shipment was made from a foreign port on or before December 5, 1943. All sellers of such imported hard candy from December 27, 1943, through February 14, 1944, shall keep for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, customary records such as shipping papers, supplies' invoices, or other appropriate evidence showing that the candy was actually shipped from a foreign port on or before December 5, 1943.

2. The effective date provisions of Amendment 59 to Revised Supplementary Regulation 14 are amended to read as follows:

This amendment 59 shall become effective February 15, 1944, as to all imported hard candy shipped from a foreign port on or before December 5, 1943.

This amendment 59 shall become effective December 27, 1943, as to all imported hard candy shipped from a foreign part after December 5, 1943.

This amendment 59 shall become effective November 24, 1943, as to all domestic hard candy.

This amendment shall become effective as of December 27, 1943.

**NOTE:** The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-127; Filed, January 3, 1944;  
4:50 p. m.]

**Notices**

**DEPARTMENT OF THE INTERIOR.**

**Coal Mines Administration.**

[Order No. CMA-13]

**CHLOE ELKHORN COAL CO., INC.**

**ORDER TERMINATING GOVERNMENT POSSESSION**

I have been advised that no strikes or stoppages have occurred since October 25 or are threatened in the coal mine of the Chloe Elkhorn Coal Company, Inc., Pikeville, Kentucky. Based on such advice, and after consideration of all the circumstances, I find that the possession by the Government of such mine is not required for the furtherance of the war program.

Accordingly, I order and direct that the possession by the Government of the mine of the said mining company including any and all real and personal property, franchises, rights, facilities, funds, and other assets used in connection with the operation of such mine be, and it is hereby, terminated and that there be conspicuously displayed at the mining property copies of a poster to be supplied by the Coal Mines Administration and reading as follows:

**NOTICE**

Government possession and control of the coal mines of this mining company have been terminated by order of the Secretary of the Interior.

*Provided, however, That nothing contained herein shall be deemed to preclude the Government from requiring the submission of information relating to operations during the period of Government possession and control as provided*

in section 40 of the regulations for the operation of coal mines under Government control, as amended (8 F.R. 6655, 10712, 11344), for the purpose of ascertaining the existence and amount of any claims against the United States so that the administration of the provisions of Executive Order No. 9393 (8 F.R. 14877) may be concluded in an orderly manner: *And provided further*, That except as otherwise ordered, the appointment of the Operating Manager for the mine of said company shall continue in effect.

HAROLD L. ICKES,  
Secretary of the Interior.  
JANUARY 3, 1944.

[F. R. Doc. 44-129; Filed, January 4, 1944;  
10:23 a. m.]

#### DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.  
[Administrative Order 798]

#### ALLOCATION OF FUNDS FOR LOANS

DECEMBER 22, 1943.

By virtue of the authority vested in me by the provisions of section 5 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for a loan for the project and in the amount as set forth in the following schedule:

Project designation:	Amount
Texas 4-3132S1 Merkel	\$25,000

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 44-144; Filed, January 4, 1944;  
11:30 a. m.]

[Administrative Order 799]

#### ALLOCATION OF FUNDS FOR LOANS

DECEMBER 22, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Arkansas 4-R9011B2 Jackson	\$70,000
Colorado 4-R9016E2 Jefferson	50,000
Delaware 4-3002D3 Sussex	60,000
Michigan 4-3028F2 Presque Isle	30,000
Minnesota 4-3034C2 Stearns	100,000
Minnesota 4-3063F2 Scott	74,000
Missouri 4-2028C3 Barton	45,000
Missouri 4-2055B1 Cedar	90,000
Oklahoma 4-2002E2 Kay	80,000
Oklahoma 4-2022E1 Cotton	100,000
Pennsylvania 4-3015F3 Bradford	50,000
Virginia 4-2011H4 Rockingham	50,000
Wisconsin 4-3029B2 Clark	50,000

HARRY SLATTERY,  
Administrator.

[F. R. Doc. 44-145; Filed January 4, 1944;  
11:30 a. m.]

#### INTERSTATE COMMERCE COMMISSION.

[S. O. 170, Gen. Permit 1]

#### BALTIMORE AND OHIO RAILROAD CO., ET AL.

#### ORDER TO DISREGARD CERTAIN PROVISIONS FOR REROUTING

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 97.9, 8 F.R. 17488) of Service Order No. 170 of December 27, 1943, permission is granted for The Baltimore and Ohio Railroad Company, the Reading Company, and the Western Maryland Railway Company:

To disregard entirely the provision of paragraph (a) (1) of § 97.9 (8 F.R. 17488) of Service Order No. 170 of December 27, 1943.

This permit shall become effective at 12:01 a. m., December 30, 1943.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 29th day of December 1943.

HOMER C. KING,  
Director.

[F. R. Doc. 44-130; Filed, January 4, 1944;  
10:35 a. m.]

[S. O. 172]

#### CINCINNATI, NEW ORLEANS AND TEXAS PACIFIC RAILWAY CO.

#### REROUTING OF TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 3d day of January, A. D. 1944.

It appearing, that due to a derailment and partial bridge destruction on The Cincinnati, New Orleans and Texas Pacific Railway Company that carrier by railroad is unable to transport the traffic offered to it; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people, *It is ordered*, That:

(a) *Derailment and partial bridge destruction—rerouting of freight traffic.* The Cincinnati, New Orleans and Texas Pacific Railway Company is hereby directed to forward freight traffic routed over its lines by routes most available to expedite its movement and prevent congestion without regard to the routing thereof made by shippers and by carriers from which the traffic is received, or to the ownership of cars, and that all rules, regulations, and practices of said carriers with respect to car

service are hereby suspended and superseded only as conflicting with the directions hereby made: *Provided*, That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to this order is deemed to me due to carriers' disability, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied had the shipments moved as originally routed.

(c) *Divisions of rates.* In executing the orders and directions of the Commission provided for in this order, common carriers affected shall proceed, even though no division agreements are in effect, over the routes authorized; divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of said carriers to so agree, the divisions shall be herein-after fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. If division agreements now exist on the traffic affected, over the routes herein authorized, they shall not be changed or affected by this order. (40 Stat. 101, Secs. 402, 418, 41 Stat. 476, 485, Secs. 4, 10, 54, Stat. 901, 912; 49 U. S. C. 1 (10)-(17), 15 (4)).

*It is further ordered*, That this order shall become effective at 12:01 a. m. January 3, 1944; that copies of this order and direction shall be served upon The Cincinnati, New Orleans and Texas Pacific Railway Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-131; Filed, January 4, 1944;  
10:35 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2816]

HEDWIG ENGEL

In re: Claim, by virtue of a judgment of the Supreme Court, New York, owned by Hedwig Engel.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Hedwig Engel is Stettinerstrasse 43 Amklam Pommern, Germany, and that she is a resident of

Germany and a national of a designated enemy country (Germany);

2. That Hedwig Engel is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows:

All right, title, interest and claim of any name or nature whatsoever of Hedwig Engel in and to a claim against The Chase National Bank of the City of New York by virtue of a judgment entered in the Supreme Court of the State of New York, County of New York, on September 17, 1940 and the judgment of reversal in part thereof entered the 5th day of August, 1941 in an action entitled The Chase National Bank of the City of New York individually and as successor by consolidation of the Equitable Trust Company of New York as trustee, under a certain agreement of trust entered into by and between Hedwig Engel and the Equitable Trust Company of New York on February 24, 1928, Plaintiff, against Hedwig Engel, Central Savings Bank of the City of New York and the Bank of New York, Defendants, together with any and all obligations, contingent or otherwise and whether or not matured, owing to Hedwig Engel by The Chase National Bank of the City of New York, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the rights to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 16, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-89; Filed, January 3, 1944,  
10:45 a.m.]

Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof, all such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 16, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

All of that certain parcel of land (portion of the land described in and covered by Royal Patent Grant Number 3291 to John A. Haslinger), situate, lying and being at Kulackhua, Honolulu, City and County of Honolulu, Territory of Hawaii, and thus bounded and described:

Beginning at a point on the South side of Pensacola Street, 589.1 feet mauka from the East angle of Pensacola and Lunailo Streets and running as follows:

1. N. 43° 35' E. true 176 feet, along Pensacola Street;
2. S. 46° 25' E. true 120 feet, along W. C. Wilder Land;
3. S. 43° 35' W. true 176 feet, along South East half of Lot #11;
4. N. 46° 25' W. true 120 feet, along Road to initial point.

[F. R. Doc. 44-80; Filed, January 3, 1944,  
10:45 a.m.]

[Vesting Order 2818]

LUDWIG GARTNER

In re: First mortgages, contract of sale, property insurance policies, and a bank account owned by Ludwig Gartner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Ludwig Gartner is Steinbach, Donnersburg, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the

2. That Ludwig Gartner is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. All right, title, interest, and estate, both legal and equitable, of Ludwig Gartner in and to a certain land contract entered into between Clyde Bowles and Hattie M. Bowles, his wife, as vendors, and Charles Lee Mallory, as vendee, dated February 18, 1941, and assigned to H. H. Roach for the benefit of Ludwig Gartner on February 18, 1941, by Clyde Bowles and Hattie M. Bowles, his wife, wherein in consideration of certain payments, the vendors are to convey title to certain real estate.

b. All those certain mortgages held of record by either H. H. Roach, Jewell, Kansas, or the Citizens State Bank, Jewell, Kansas, for the benefit of Ludwig Gartner, and filed for record in the Office of the Register of Deeds, Jewell County, Kansas, particularly described in the following paragraphs, and any and all obligations secured by such mortgages, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgages) for any and all such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds or other instruments evidencing such obligations;

1. That certain first mortgage executed by Clyde Bowles, and Hattie M. Bowles, his wife, as mortgagors on April 20, 1933, in favor of the Citizens State Bank, Jewell, Kansas, and recorded in Volume 121 of Mortgages, Page 418, and

2. That certain first mortgage executed by John H. Menhusen and Betty M. Menhusen, his wife, as mortgagors on July 15, 1942, in favor of H. H. Roach, Jewell, Kansas, and recorded in Book 129 of Mortgages, Page 648, and

3. That certain first mortgage executed by J. H. Coffield, a widower, as mortgagor, on April 26, 1940, in favor of H. H. Roach, Jewell, Kansas, and recorded in Book 127 of Mortgages, Page 535, and

4. That certain first mortgage executed by Bert C. Saint and Lilly A. Saint, his wife, as mortgagors on August 12, 1938 in favor of H. H. Roach, and recorded in Book 127 of Mortgages, Page 270, and

5. That certain first mortgage executed by Ernest L. Peters, a single man, as mortgagor, on June 4, 1942, in favor of the Citizens State Bank, Jewell, Kansas, and recorded in Volume 129 of Mortgages, Page 633, and

6. That certain first mortgage executed by Ed Tucker, a widower, as mortgagor on January 2, 1941, in favor of H. H. Roach, and recorded in Book 127 of Mortgages, Page 604, and

7. That certain first mortgage executed by Olive M. Knowlton and Clarence G. Knowlton, her husband, as mortgagors, on June 11, 1941 in favor of H. H. Roach, Jewell, Kansas, and recorded in Book 129 of Mortgages, Page 504, and

8. That certain first mortgage executed by Milton A. Axtell and Ada E. Axtell, his wife, as mortgagors, on October 14, 1942, in favor of H. H. Roach, Jewell, Kansas, and recorded in Book 129 of Mortgages, Page 651, and

9. That certain first mortgage executed by Pid Jones and Eileen Jones, his wife, as mortgagors, on October 23, 1942, in favor of H. H. Roach, Jewell, Kansas, and recorded in Book 129 of Mortgages, Page 676, and

10. That certain first mortgage executed by Samuel Louder and Mina Pearl Louder, his wife, as mortgagors on August 26, 1940, in favor of H. H. Roach, Jewell, Kansas, and recorded in Book 127 of Mortgages, Page 578, and

11. That certain first mortgage executed by Albert Schmidt, a widower, as mortgagor on

August 24, 1938, in favor of H. H. Roach, Jewell, Kansas, and recorded in Book 127 of Mortgages, Page 275, and

c. All right, title, and interest of Ludwig Gartner in and to the following fire insurance policies: Policy No. FW 77134 issued by the National Fire Insurance Company, Hartford, Connecticut; and Policy No. 70229 issued by the Republic Mutual Fire Insurance Company, Belleville, Kansas, which policies insure the real property covered by the first mortgages described in subparagraph 3-b, 1 and 4 hereof, and

d. All right, title, interest and claim of Ludwig Gartner in and to the sum of \$1,500 constituting a portion of a certain bank account in the Citizens State Bank, Jewell, Kansas, which is due and owing to and held for and in the name of Ludwig Gartner, including but not limited to all security rights in and to any and all collateral for any or all of such account, or portion thereof, and the right to enforce and collect the same, is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-c and 3-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to Section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest, hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 16, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-91; Filed, January 3, 1944,  
10:45 a. m.]

[Vesting Order 2819]

NABUICHI KAMURA

In re: Interest in real property, a claim and fire insurance policy owned by Nabuichi Kamura.

Under the authority of the Trading with the Enemy Act, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Nabuichi Kamura is Hiroshima, Japan, and that he is a resident of Japan, and a national of a designated enemy country (Japan);

2. That Ben M. Nishimoto, a citizen of the United States, whose last known address is Route 4, Fort Collins, Colorado, is acting or purporting to act directly or indirectly for the benefit, or on behalf of, Nabuichi Kamura, a national of a designated enemy country (Japan), who is at present within such designated enemy country, and that the said Ben M. Nishimoto is a national of a designated enemy country (Japan);

3. That Nabuichi Kamura is the beneficial owner of the real property described in subparagraph 5-a hereof, held in the name of Ben M. Nishimoto, and that he owns the property described in subparagraphs 5-b and 5-c hereof;

4. That Ben M. Nishimoto is the record owner of the real property described in subparagraph 5-a hereof;

5. That the property described as follows:

a. The undivided one-half interest, identified as the interest acquired by Nabuichi Kamura by deed from Oliver P. Adams executed August 3, 1912, in and to the real property situated in Los Angeles County, California, particularly described as the Northeast one-fourth ( $\frac{1}{4}$ ) of Section twenty-one (21), Township eight (8) North, Range Thirteen (13) West, S. B. B. & M, together with all hereditaments, fixtures, improvements, and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest and claim of any name or nature whatsoever of Nabuichi Kamura in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Nabuichi Kamura by Ben M. Nishimoto, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations, and including particularly any and all claims against Ben M. Nishimoto arising out of the payments made by A. C. Steele as lessee of the property described in subparagraph 5-a hereof, and

c. All right, title, and interest of Nabuichi Kamura in and to fire insurance policy No. 241587 issued by the Insurance Company of North America, insuring the premises described in subparagraph 5-a hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that the property described in subparagraphs 5-b and 5-c hereof is necessary for the maintenance and safeguarding of other property (namely, that property described in subparagraph 5-a here-

## FEDERAL REGISTER, Wednesday, January 5, 1944

of) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to section 2 of said Executive order;

And determining that to the extent Ben M. Nishimoto is the owner of record of the real property described in subparagraph 5-a hereof, he is controlled by, or acting for or on behalf of Nabuichi Kamura, a national of a designated enemy country (Japan), who is a person within such country;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 5-a hereof, subject to recorded liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraphs 5-b and 5-c hereof, all such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 16, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-92; Filed, January 3, 1944,  
10:45 a. m.]

[Vesting Order 2820]

MARTHA KENNER

In re: Real property and a claim owned by Martha Kenner.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Martha Kenner is Mettinger bei Esslingen, Wurttemberg, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Martha Kenner is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Russell County, Kansas, particularly described as the West one-half (W 1/2) of the Northeast Quarter (NE 1/4) of Section twenty-one (21), Township eleven (11), Range thirteen (13) west of the 6th P. M. together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property, and

b. All right, title, interest, and claim of any name or nature whatsoever of Martha Kenner in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Martha Kenner by Myrtle Crawford, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and including particularly all right, title, interest, and claim of Martha Kenner in and to those certain War Savings Bonds in the name of Myrtle Crawford, particularly described in Exhibit A, attached hereto and by reference made a part hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof, all such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an

admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 16, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

EXHIBIT A

Serial number and date

of issue:	Price paid
Q3603375E, Dec. 1, 1941	\$18.75
Q4983386E, Dec. 1, 1941	18.75
Q52356245E, Nov. 1, 1942	18.75
Q52356241E, Nov. 1, 1942	18.75
Q52356240E, Nov. 1, 1942	18.75
Q52356242E, Nov. 1, 1942	18.75
Q52356238E, Nov. 1, 1942	18.75
Q52356239E, Nov. 1, 1942	18.75
Q52356246E, Nov. 1, 1942	18.75
Q51773265E, Sept. 1, 1942	18.75
Q51773267E, Sept. 1, 1942	18.75
Q42883369E, Aug. 1, 1942	18.75
Q42883367E, Aug. 1, 1942	18.75
Q42889593E, July 1, 1942	18.75
Q24503888E, June 1, 1942	18.75
Q22407599E, May 1, 1942	18.75
Q19820654E, May 1, 1942	18.75
Q172637279E, Sept. 1, 1943	18.75
Q172637270E, Aug. 1, 1943	18.75
Q172637271E, Aug. 1, 1943	18.75
Q172637272E, Aug. 1, 1943	18.75
Q172637273E, Aug. 1, 1943	18.75
Q172637239E, July 1, 1943	18.75
Q172637214E, June 1, 1943	18.75
Q172637209E, May 1, 1943	18.75
Q129668884E, Apr. 1, 1943	18.75
Q129668885E, Apr. 1, 1943	18.75
Q129668835E, Mar. 1, 1943	18.75
Q129668834E, Mar. 1, 1943	18.75
Q129668810E, Feb. 1, 1943	18.75
Q129668809E, Feb. 1, 1943	18.75
Q115341134E, Feb. 1, 1943	18.75
Q115341135E, Feb. 1, 1943	18.75
L25720511E, Jan. 1, 1943	37.50
Q115341112E, Jan. 1, 1943	18.75

Total ..... 675.00

[F. R. Doc. 44-93; Filed, January 3, 1944;  
10:45 a. m.]

[Vesting Order 2821]

BARBARA NOLL, ET AL.

In re: Interests in bonds and mortgages, general insurance policies, and claims owned by Barbara Noll, also known as Anna Barbara Noll, and others.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the fourteen persons whose names and addresses appear on Exhibit A attached hereto and by reference made a part hereof, are persons whose last known addresses as particularly described in said Exhibit A, are Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That the fourteen persons whose names appear on Exhibit A attached hereto and by reference made a part hereof, are the owners of the property described in subparagraphs 5-a, 5-b, 5-c, and 5-f hereof;

3. That the nine persons whose names, identified by the numerals 3, 4, 5, 8, 9, 10, 12, 13 and 14, appear on Exhibit A attached

hereto and by reference made a part hereof, are the owners of the property described in subparagraph 5-d hereof;

4. That the two persons whose names, identified by the numerals 2 and 11 appear on Exhibit A attached hereto and by reference made a part hereof, are the owners of the property described in subparagraph 5-e hereof;

5. That the property described as follows:

a. The undivided eleven-twelfths (11/12) interest in a mortgage executed on June 1, 1922 by Edward J. Krug, Jr., and recorded on June 3, 1922 in the Register's Office of Bronx County, New York, in Liber 612 of Mortgages, page 19, identified as the total undivided eleven-twelfths (11/12) interest which was assigned by Manufacturers Trust Company, as Executor of and under the Last Will and Testament of Eliese Strauch, late of New York County, New York, deceased, to the fourteen persons named in Exhibit A attached hereto and by reference made a part hereof, on May 16, 1938 by instrument of assignment recorded on June 3, 1938 in the Register's Office of Bronx County, New York, in Liber 1813 of Mortgages, page 479, and any and all obligations, which are secured by the interest in said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations, and

b. The undivided eleven-twelfths (11/12) interest in a mortgage executed on November 6, 1936 by John Bosser and Margaret Bosser, his wife, and recorded on November 7, 1936 in the Register's Office of Kings County, New York, in Liber 8153 of Mortgages, page 104, identified as the total undivided eleven-twelfths (11/12) interest which was assigned by Manufacturers Trust Company, as Executor of and under the Last Will and Testament of Eliese Strauch, late of New York County, New York, deceased, to the fourteen persons named in Exhibit A attached hereto and by reference made a part hereof, on May 16, 1938 by instrument of assignment recorded on June 2, 1938 in the Register's Office of Kings County, New York, in Liber 8278 of Mortgages, page 4, and any and all obligations, which are secured by the interest in said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations, and

c. All right, title, interest and claim of any name or nature whatsoever of the fourteen persons named in Exhibit A attached hereto and by reference made a part hereof, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to the fourteen persons named in Exhibit A attached hereto and by reference made a part hereof, by Manufacturers Trust Company, 55 Broad Street, New York, New York, and represented on the books of Manufacturers Trust Company as a credit balance due the fourteen persons whose names appear in said Exhibit A, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and

d. All right, title, interest and claim of any name or nature whatsoever of the nine persons whose names identified by the numerals 3, 4, 5, 8, 9, 10, 12, 13 and 14 appear on Exhibit A attached hereto and by reference made a part hereof, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to the said

nine persons whose names identified by the numerals 3, 4, 5, 8, 9, 10, 12, 13 and 14 appear on said Exhibit A, by John Steneck & Sons, Inc., and represented on the books of John Steneck & Sons, Inc., as a credit balance due the said nine persons, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and

e. The undivided five forty-eighths (5/48) interest in the proceeds of a mortgage executed on January 22, 1923, by John J. Dowd and Lillian F. Dowd, his wife, and recorded on January 23, 1923, in the Register's Office of Bronx County, New York, in Liber 668 of Mortgages, page 214, identified as the total undivided five forty-eighths (5/48) interest which was assigned by Manufacturers Trust Company, as Executor of and under the last Will and Testament of Eliese Strauch, late of New York County, New York, deceased, to the two persons whose names, identified by the numerals 2 and 11 appear on Exhibit A attached hereto and by reference made a part hereof, on May 16, 1938 by instrument of assignment recorded on June 3, 1938 in the Register's Office of Bronx County New York, in Liber 1815 of Mortgages, page 488, arising out of the satisfaction of the aforesaid mortgage by payment of the amount due thereon to the City Treasurer of the City of New York pursuant to an order of Honorable Isidor Wasservogel, Justice of the Supreme Court of the State of New York, in and for Bronx County, dated March 8, 1940 in a proceeding entitled "In the Matter of Application of Walter S. Hannan to Cancel of Record a Certain Mortgage covering Premises 3414 Giles Place in the City of New York, County of Bronx," and

f. All right, title and interest of the fourteen persons whose names appear on Exhibit A attached hereto and by reference made a part hereof, in and to the following insurance policies:

(1) Fire insurance policy No. 231626, issued by the Franklin National Insurance Company of New York, insuring the premises covered by the mortgage described in subparagraph 5-a hereof;

(ii) Fire insurance policy No. 694008, issued by the Royal Insurance Company, Ltd., insuring the premises covered by the mortgage described in subparagraph 5-a hereof;

(iii) War damage insurance policy No. 106-54-7664, issued by the War Damage Corporation, Royal Insurance Company, Ltd., authorized fiduciary agent, insuring the premises covered by the mortgage described in subparagraph 5-a hereof;

(iv) Fire insurance policy No. 148960, issued by the Glens Falls Insurance Company, insuring the premises covered by the mortgage described in subparagraph 5-b hereof;

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 5-c, 5-d, 5-e, and 5-f hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 5-a and 5-b hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 (c) of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in paragraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 16, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

##### Name and Last Known Address

(1) Barbara Noll, also known as Anna Barbara Noll, Bleiben, Kreis Alsfeld, Germany.

(2) Phillip Strauch, also known as Phillip Strauch, % Hotel, Alsfeld, Germany.

(3) Margareta Schmidt, also known as Margarete Schmidt or Margarethe Schmidt, Hatterode, über Hersfeld Land, Germany.

(4) Christina Becker, also known as Christine Becker, Breitenbach, über Hersfeld Land, Germany.

(5) Julianna Wahl, also known as Julianna Wahl, or Julianne Wahl, or Julianne Wahl, Breitenbach, über Hersfeld Land, Germany.

(6) Conrad Bosser, also known as Konrad Bosser, Oberjassa, über Hersfeld Land, Germany.

(7) Gela Schmidt, also known as Johanna Schmidt or Anna Gela Schmidt, Machtlos, über Hersfeld Land, Germany.

(8) Frederick Winter, also known as Frederick-Fritz Winter, Koeln, Radesberg Bruehlerstrasse, Germany.

(9) Andreas Schmidt, Schwerte am Ruhr, Germany.

(10) Kunigunda Kruse, also known as Anna Kunigunda Kruse or Kingunda Kruse, Koln, Germany.

(11) Eliese Kummel, Erndtebruck 1/Westf., Germany.

(12) Anna Bredenbrock, Gelsenkirchen-Buer, Neumarket 6, Germany.

(13) Heinrich Lotz, Alten-Essen, Baumhausstrasse 97, Germany.

(14) Ferdinand Jackel, as Ancillary Guardian of Marianne Jackel, Muelheim Ruhr, Buschkante 9, Germany.

[F. R. Doc. 44-94; Filed, January 3, 1944;  
10:46 a. m.]

[Vesting Order 1547, Amdt.]

## MARIA CAMPLESE

In re: Real property and claim owned by Maria Camplese.

Vesting Order 1547, dated May 27, 1943, is hereby amended to read as follows:

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Maria Camplese is Atri, Province of Teramo, Italy, and that she is a resident of Italy and a national of a designated enemy country (Italy);

2. That Maria Camplese is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:  
a. Real property situated in the City and County of Philadelphia, State of Pennsylvania, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of Maria Camplese, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Maria Camplese by the Zaccaria Realty Company, 1705 South 20th Street, Philadelphia, Pennsylvania, and represented on the books of Zaccaria Realty Company as a credit balance due Maria Camplese, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraph 3-b above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a above) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded, liens, encumbrances, and other rights of record held by or for persons who are not nationals of designated enemy countries, and hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof, all such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on December 31, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

## EXHIBIT A

All that certain lot or piece of ground with the buildings and improvements thereon erected situate on the South side of Watkins Street at the distance of two hundred and eighty-two feet Westward from the West side of Nineteenth Street in the Thirty-sixth Ward of the City of Philadelphia.

Containing in front or breadth on the said Watkins Street fourteen feet and extending Southwardly in length or depth between lines parallel with said Nineteenth Street forty-seven feet to a certain four feet wide alley which leads East and West and communicates

at each end thereof with two other four feet wide alleys extending from Watkins Street to Pierce Street.

[F. R. Doc. 44-96; Filed, January 3, 1944; 10:46 a. m.]

[Vesting Order 2330, Amdt.]

## PAULA WHITENER

In re: Real properties situated in St. Louis and Maplewood, Missouri, and bank account owned by Paula Whitener.

Vesting Order 2330, dated October 5, 1943, is hereby amended as follows and not otherwise:

1. By deleting subparagraph 3-a of said Vesting Order and substituting therefor the following words and figures "Real property situated in St. Louis County, Missouri, particularly described as Parcel No. 1, and real property situated in the City of St. Louis, Missouri, particularly described as Parcels No. 2, 3, 4 and 5, in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;"

2. By deleting the first paragraph of Exhibit A, attached to and by reference made a part of said Vesting Order and substituting therefor the following words: "All that tract or parcel of land particularly described as follows, which is situated in St. Louis County, Missouri;"

3. By inserting a new subparagraph, immediately preceding the words and figure "Parcel No. 2" in Exhibit A attached to and by reference made a part of said Vesting Order, with the following words and figures. "All those 4 tracts or parcels of land particularly described as follows, which are situated in the City of St. Louis, Missouri:"

All other provisions of said Vesting Order 2330 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on December 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-95; Filed, January 3, 1944; 10:45 a. m.]